'This shocking, thrilling account is as gripping as any real-life gangster story' **S. HUSSAIN ZAIDI**

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GUNNING FOR THE GODMAN

THE TRUE STORY BEHIND ASARAM BAPU'S CONVICTION

AJAY LAMBA (IPS)
WITH **SANJEEV MATHUR**

VISIT…

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HarperCollins *Publishers* India

Dedicated to all the brave men and women of the Jodhpur police team that investigated the case

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Who Is Asaram?

When Asumal Sirumalani, son of Thaumal Sirumalani and his ‘consort’ Mehgiba, was three, Shri Parasuramji Maharaj, the spiritual teacher of his family, had predicted that he would, one day, be ‘a great saint’ who would show the ‘light of spiritualism’ to the ignorant.

Today, Asumal, aka Asaram Bapu, serves life in prison at the Jodhpur Central Jail.

Convicted in 2018 of the rape of a minor (under the POCSO Act), it’s been quite a descent for this hard-working yogi who proclaimed to be immune to material and worldly pleasures, and worked to spread the tenets of Hinduism internationally. Quoted and feted by various political personalities, he had an enormous following across the world. The godman was also always able to guard himself against the many controversies that accompanied his rise to being saint-célèbre. And the controversies were abundant, as they were diverse. The magnanimous compassion on display through the many pro-poor/youth welfare programmes – not to forget the ones aimed at protecting the environment and improving the lives of tribals and even prisoners – through the more than four hundred ashrams in India, and abroad, including in the US and Canada, was to prove to be only a facade. A well-calculated and organized PR exercise at best, but one which, in the end, would neither preserve nor protect him.

Asumal Sirumalani, son of Thaumal and Mehgiba Sirumalani, was born in the village of Berani, district Nawabshah, in Sindh (now in Pakistan), on 17 April 1941. On the day of his birth, a merchant is said to have stopped by their house and brought a swing for the newborn. That is because the day before, ‘he had a strong feeling that a great saintly child shall be born in Thaumalji’s family’. His mother was his first teacher, narrating to him stories from the Ramayana, Bhagavad Gita and other

scriptures. Asumal was also known to possess a remarkable memory.

Following India's Partition though, the family moved to Ahmedabad, Gujarat, leaving behind all their assets and belongings in Sindh. To improve the family's financial condition, Asumal's father decided to get into the coal- and wood-selling business in Ahmedabad. It is believed that for a short while, Asumal, too, worked in the same shop with his father.

Asumal studied up until only the third standard at the Jai Hind High School in Ahmedabad. When he was eleven, his father passed away, causing the boy to drop out of school. While the responsibility of running the family fell on the shoulders of his elder brother, Jethanandji, Asumal was subjected to much ridicule at home at the hands of his sister-in-law. Possibly to escape the daily reprimands, Asumal left home one day and reached Sidhpur, a town 50 kilometres away from Ahmedabad, where he accepted a job at a relative's grocery store. It is said that during his spare time, he would meditate in the Govind Madhav Temple there and it was here that he learnt Sanskrit. In fact, his propensity to meditate for hours started early. It was his mother who is said to have planted the seeds of meditation and prayer in Asumal.

After spending three years in Sidhpur, Asumal went back to Ahmedabad. The situation at home continued to be difficult and he had to take up another job to sustain the family. Ultimately, he started a small shop in Kolhapur with his brother, where they sold sugar. The business helped meet the basic needs of the family.

There were also his frequent escapades, ran away as he did to various ashrams from time to time. They began early. At the age of fifteen, he ran away to Ashoka Ashram in Bharuch, near Vadodara, just eight days before he was scheduled to be wedded to Lakshmi Devi. He did finally get married to her, but after much persuasion by his family members. They would eventually be parents to son Narayan Sai and daughter Bharati. His marriage is said to have been his family's way of stalling Asumal's 'growing detachment [from] the world'. That was, however, not to be. He would tell his wife that he wanted to be free from samsara and his wife would acquiesce. How could 'a golden chain … bind a free bird'?

Prior to him establishing himself as a religious leader, Asumal was involved in a variety of jobs: from selling liquor and tea to repairing cycles, his was a colourful life.

During 1958–59, Asumal was a tea-seller in Vijapur, a city in

Gujarat's Mehsana district. That tea stall was reportedly owned by one of his relatives, Sevak Ram, where Asumal is said to have worked for quite a long period of time. However, as mentioned in an article by Jay Mazoomdaar in *Tehelka* , a businessman claiming to know 'Gujarat's Sindhi Samaj' said that the tea stall by the main bus stand at Vijapur was used as 'a front to peddle illicit liquor. A couple of old-timers confirmed that a young Asaram was considered a "miscreant of sorts" in Maninagar, Ahmedabad.' This, apparently, does not find a mention in Asaram's official biography.

A September 2013 article in the *Week* quotes forty-six-year-old autorickshaw driver Mahesh Thakor, who remembered 'seeing Asaram sell country liquor on the banks of the Sabarmati. [Even] Kalaji Thakor, 75, a resident of Gandhinagar, has told the media that in the 1960s and 1970s when he made country liquor, Asaram used to buy it from him for reselling.'

In 1959, Asaram and his relatives were accused of murder, under the influence of alcohol. However, with no evidence to back the accusation, he was let off scot-free. Reportedly, after this incident, Asumal left Vijapur and relocated to Ahmedabad's Sardarnagar area.

During the 1960s, Asumal got into a partnership with four people and started the business of selling liquor. He profited much from this business. This was followed by a stint at a milk dairy.

In 1963, the family came to Ajmer upon the invitation of a relative, Dodhi Ustad. He, too, had crossed the border and settled there. Here, Asumal started transporting pilgrims from the railway station to the Ajmer Sharif Dargah on his tonga. In those days, when most of the tongas had wooden boards, Asumal's had cushioned seats. The novelty of his tonga helped him ferry more passengers and, thus, earn more money. Once, during the annual Sarwar Urs, he also participated in a tonga race held between Ajmer and Sarwar.

He would return to Ahmedabad a few years later, in July 1971.

The seven-year period that preceded his starting his Ahmedabad ashram in 1971 was marked by an intense pursuit of Paramapada or 'ultimate realization'. If the anecdotes listed on the ashram's website are anything to go by, Asumal's life was devoid of material pleasures. Forests, hills, caves, temples, even grass were to be his abodes. From Kedarnath to Vrindavan, to the banks of the river Narmada at Moti Koral, to Deesa, Rishikesh, Gangotri, Uttarkashi, Badrinath – there would be no one destination until he attained what he set out to.

At Vrindavan, he waited for forty whole days to be able to catch a glimpse of Swami Shri Lilashahji Maharaj, a great guru. He would eat lentils and sleep in a small 4.5 square feet room. Finally, Asumal did receive the guru's blessings. Thereafter, although he would return to Ahmedabad to continue his spiritual practices at home, within a few weeks he would leave home again.

Moti Koral, a colony of fishermen on the banks of the River Narmada, would be the next stop. Here, a local saint by the name of Shri Lalji Maharaj, moved by Asumal's devotion, arranged for Asumal to stay in Datt Kutir of Ram Niwas (Lalji Maharaj's ashram).

It is claimed that one day, during his stay in Moti Koral, when he was meditating on the banks of the Narmada, it began to rain heavily. Asumal continued to sit under the rain and meditate. When a fisherman came out of his hut to relieve himself, he shouted upon seeing him, also calling other villagers. He had taken Asumal to be a thief. But soon, they realized his aura, and bowed their heads in front of him, becoming his devotees.

After a forty-day stay at Moti Koral, instead of going back to Ahmedabad – as requested by his wife and mother, when they visited him while at Moti Koral – Asumal headed to Bombay and there, sought for a glimpse of Gurudev Lilashahji Maharaj. Impressed by the honest yearning 'to attain the truth' in the twenty-three-year-old Asumal, the guru blessed Asumal with 'ultimate knowledge'. Asumal was to immerse himself in samadhi for two-and-a-half days, after which, he was transformed into Swami Shri Asaramji Maharaj. It was Lilashahji Maharaj who gave Asumal the name 'Asaram' on 7 October 1964 and commanded him to carve his own path and guide people.

Then came his time at an ashram in Deesa, a village near Palanpur in Gujarat. It is here that, as the story goes, upon seeing a dead cow, he gave some water to one of the villagers to sprinkle on the animal, and miraculously, it came to life. It was also in Deesa that, when begging for alms at the doorstep of someone's house, the woman from that house insulted Asaram, and he calmly said to his inner self, 'Now see God in the person who is insulting you!' and surprised the woman immensely. Then one day, a lame labourer was sitting by the river, upset over the loss of his job. Asaram assured him that he would get his job back. He also carried him on his shoulders, helping him to cross the river. Eventually, this man would, apparently, be accepted back at his job at a higher salary. Not only would some turn into his followers, but many

would, owing to Asaram's words at satsangs, give up addictions to alcohol and tobacco.

During his stay at Deesa, Asaram spent some time meditating at Mount Abu, in a cave called Nalgufa, which was situated in the dense forest at the top of the hill. He was known to hold spiritual discussions with the residents here. This cave is now a place of pilgrimage for his disciples.

A few octogenarians at Mount Abu, however, claimed during the investigation into the 2013 rape charges that Asaram's spiritual learning was dubious and that he frequently resorted to unethical behaviour. It was said that his meditating cave, Nalgufa, was the abode of pseudo saints who smoked ganja and charas, and indulged in gambling. Nalgufa is said to have been always engulfed in the smoke of hookahs and chillums. It was reported that once, even Asaram was picked up by the local police on allegations of gambling but was let off.

Though devotees started to gather in large numbers for his preachings, it was not until 1972 that his true journey as a spiritual leader began. That year, Asaram settled in the Motera village on the banks of the Sabarmati River. His devotees built for their beloved guru a small room that came to be known as the 'Moksha Kutir'. Eventually, that 'humble hut' would be transformed into a hermitage before being converted into a full-fledged ashram. As Mazoomdaar reveals in his *Tehelka* article: 'Asaram found shelter for two years in Motera's Sadashiv Ashram before setting up a hutment of his own on the adjoining land. Even today, the sprawling Asaram ashram shares its boundaries with the humble Sadashiv Ashram that Asaram's men tried to grab after Sadashiv's death. They did not succeed due to strong resistance from local villagers who were later implicated in false cases.' Again, something that does not find mention in Asaram's biography.

The Gujarat government also allotted him 14,515 square metres of land in 1992, and in 1999, allotted the ashram another 25,000 square metres of land for expansion. The Motera Ashram continues to be flocked by followers, who are still in denial of the accusations against the godman and maintain that their guru has been jailed on false charges.

As some of the incidents described below will illustrate, realizing god was only part of Asaram's larger ambitions. As contradictory as it may seem to equate a 'godman's' possessions to an empire, in Asaram's case,

it would come as no surprise. A certain vulnerability in the way of wanting to control land, and dealing in other commodities, and also human beings, would dictate his actions. It would embroil him in controversies from most of which he would repeatedly be fenced off, unscathed, until 2013, when things would finally not go his way.

As his popularity grew, so did the number of his ashrams. In a period of just four decades, Asaram had to his credit around four hundred of them, both in India and abroad. He had gained not only crores of followers, but had also developed innumerable political contacts at the highest levels. The latter would come as no surprise since as per an April 2018 article in the *Economic Times* , 'Many BJP and Congress governments in different states are said to have helped Asaram expand his spiritual empire.' Dozens of schools, a printing press and an Ayurvedic pharmacy are run by his trust, and his wife and children run the ashrams and businesses.

The article also cites a Press Trust of India report that said that during the 2013 arrest of Asaram, when the police got their hands on documents at his Motera ashram, they found that he had accumulated a wealth of Rs 10,000 crore. This, barring the market value of the large landholdings he had in his name. And there have been, over the years, several allegations of land-grabbing against Asaram, as also his trusts. The article in the *Week* lists some.

First off, the ashram on the Delhi ridge – which is a 'construction-free zone' – is alleged to have impinged on forest land.

A second instance: the property which accommodates Asaram's Indore ashram was meant to house medicinal plants. While Asaram had agreed to have a medicinal plant garden and even a yoga centre built on the property at the time of getting it on lease, that never happened. Instead, he had constructed on it tall buildings.

In 1997, Princess Gyanada Devi of the Shakti royal family of Chhattisgarh reportedly donated the 21-acre plot of land on which rests Asaram's Chhindwara gurukul. The Princess's family members claimed that she was forced into signing a few papers, that she had 'hearing problems'.

Again, in January 2013, the corporate affairs ministry was advised by the Serious Fraud Investigation Office (SFIO) that legal action be taken against the godman for a land-grab case in Madhya Pradesh. The land in question – a 10-acre plot on the Delhi–Mumbai freight corridor, costing around Rs 700 crore – used to belong to the once-active Jayant Vitamins

Ltd. Asaram had been given the permission to hold a religious congregation on the premises by a trust that used to be managed by some of the company's directors. But the land continued to be occupied by Asaram's supporters even afterwards.

While his Yog Vedanta Sewa Samiti had permission to use the Mangalya temple premises in Ratlam (Madhya Pradesh) for a satsang, it continued to be in possession of this 100-acre land. This was in 2001.

Then, in 2002, Asaram's men committed forgery to transfer the the entire property of one Bhagwani Devi to the trust. They had, however, approached this devotee from Delhi's Rajokri, to convince her to give away some of her property to the trust. This matter did reach the court; surprisingly, the godman never received a summons!

As Mazoomdaar brings to light in his 2013 piece in *Tehelka* on what kept Asaram's cult going, there were occasions when Asaram did defend 'encroachments on State land', but he would always be careful not to linger if he 'lost the legal battle'.

- 2006: The Gujarat High Court returned the part of the agricultural l along the Tapi river meant for constructing embankments and a drin water project, that Asaram's ashram had seized in 1984, followi satsang. His ashram apparently '"regularised" the encroachment i three weeks through its influence over the then revenue min Atmaram Patel,' writes Mazoomdaar.

- 2009: The Bihar court refused Asaram's unlawful claim over katthas of land. The Bihar State Board of Religious Trusts finally control over the plot.

- January 2010: Authorities from the State Revenue department cle the incursion of land worth 67,099 square metres by his Motera ash into the Sabarmati bank. This was in view of the then upcoming n rail project.

- November 2010: Ashram structures on 6 acres' worth of encroa land in Bhairavi village of Navsari district were knocked down.

- 2013: Asaram's son Narayan Sai was served notice by the Sabarka district administration to clear almost 70 hectares of agricultural lan the villages of Gambhoi, Rajpur and Pedhmala. He had falsely clai

to be a farmer to procure these lands.

In Odisha, in May of the same year, an illegally built ashram belon to the godman was demolished by the Cuttack Municipal Corporatio

For a man who, at one point, lived the life of a monk, his quests have been of a notorious variety. Money laundering and loan-sharking, too, have not been off the list. Here are some instances as mentioned in the *Tehelka* piece. While a shopkeeper from Ahmedabad's Revdi Bazaar alleged that Asaram's money circulates as loans to businessmen, in August 2002, when a well-known jewellery chain in New Delhi was raided by the Income Tax department, they found a hoard of unexplained stock on the premises and it was claimed that Asaram had invested crores in the jewellery chain. It appeared that although gold was imported for designing ornaments meant to be exported only, the latter was sold in the local market without billing the sales. Thereafter, the profit was invested in real estate.

There were also the statements made by Mahendra Chawla, once personal secretary to Asaram's son Narayan Sai. He claimed that the godman's attendants would sell off items received as donations to the ashram and the money was 'never accounted for'. He also alleged that the lakhs of rupees accumulated across the more than two hundred satsangs at the ashrams were also transported in Asaram's personal helicopter.

Thus far, his apparent goodwill with the bureaucracy seemed to have worked in his favour.

As a retired police officer from Indore is quoted to have said in the 2013 *Tehelka* article, losing some land would not have made much of a difference to the godman, for his empire included many acres of it. '"His *only* potential vulnerability has always been his weakness for women",' he had added (emphasis mine).

It's said that when people queued for Bapu's darshan, the latter would apparently throw a fruit at a girl towards whom he'd feel attracted in some manner, and that girl and her family would then be convinced by the ashram's women to send her to Asaram's mahila ashram. The guru would then perform an anushthan (ritual) with her. A teacher, claiming to be associated with the Chhindwara ashram, is quoted to have said in the *Tehelka* article that after one became an ashram inmate, there

would be no ‘escape’.

The futility of any kind of protest is borne also by the testimony of the godman’s former physician, Amrut Prajapati. ‘“I never questioned why the godman took insulin for thyroid. But then, I got to know that his days in solitude were meant for these dirty activities. He must have violated at least a thousand women”,’ he is quoted to have told Mazoomdaar in the aforementioned article. Prajapati made the discovery during one of his visits to the godman’s bedroom to check upon him, something he had been asked to do every full moon night since the time he had helped revive Asaram from the deathbed.

In 2009, Raju Chandak, Asaram’s former disciple and secretary, accused the guru of attempting to murder him. As cited in the 15 September 2013 article in the *Week* , twenty-three-year-old Rohit Pachuri, a devotee, died in mysterious circumstances during a satsang in Jabalpur, in February 2013. It was suspected that Pachuri was ‘“poisoned”’ as he had come to know of some ‘“secret”’.

During the Nirbhaya rape case in 2012, the rishi had, in fact, held the victim responsible for the brutality inflicted upon her. ‘*Galati ek taraf se nahin hoti hai* ,’ he said, adding that she should have addressed the rapists as brothers!

And then came August 2013, when a sixteen-year-old girl accused Asaram of sexually assaulting her at his Manai ashram in Jodhpur, on the pretext of exorcising her of evil spirits. But the ashram inmates called such molestations ‘samarpan’ (submission). The girl’s parents, who were Asaram’s disciples, filed a complaint with the police in Delhi, and a case was registered after the medical examination of the girl confirmed sexual assault. When Asaram did not appear for interrogation by 31 August 2013, Jodhpur police collected evidence against him under multiple non-bailable sections of the IPC. The Jodhpur police were thrown many a challenge, but eventually, the team arrested Asaram during the intervening night of 31 August–1 September 2013 from his ashram, and flew him to Jodhpur, where he was interrogated and then sent to judicial custody.

On 25 April 2018, Asaram was pronounced guilty of the rape charges and imprisoned for life with a fine of Rs 5 lakh to be paid to the victim. Two of his associates were sentenced to twenty years in prison. Asaram and the co-accused appealed in the high court against the conviction. On 29 September 2018, Rajasthan High Court suspended the sentence of one of the co-accused, Shilpi.

On 30 October 2018, the Rajasthan High Court admitted the appeal against Asaram's conviction.

In December 2013, Asaram's son, Narayan Sai, too, was arrested on charges of rape, after two sisters from Surat alleged that he and his father had raped them in Asaram's ashram sometime during the year 2000. The elder sibling accused Asaram of repeatedly assaulting her sexually during 1997–2006 at the Motera ashram. The younger sister said that Narayan Sai sexually assaulted her during 2002–5 at their Surat ashram. One of the sisters also alleged that Asaram's wife and daughter helped the two men exploit the girls. They claimed that it was habitual of Asaram to sexually exploit girls on almost a daily basis. This exploitation was conducted in the garb of samarpan of the girls and their desire to be blessed by the godman's spiritual touch. The trial in this case is currently in progress. In the last week of March 2020, Asaram applied for bail in this case at the Gujarat High Court, on grounds of the Covid-19 epidemic, but the bail application was rejected. In yet another rape case filed against Narayan Sai by a former woman devotee in 2013, the godman's son was sentenced to life in prison in 2019.

Rewind to July 2008. When bodies of two boys, Dipesh and Abhishek – sons of Asaram's followers – were discovered close to Asaram's ashram near the Sabarmati river, their internal organs missing, Asaram was suspected and accused of performing tantric rituals at the ashram. However, a Criminal Investigation Department (CID) probe – which took two weeks to be initiated – ordered on the behest of the Gujarat High Court, refuted such allegations. The conspiracy and modus operandi behind the killings and mutilation of the boys' bodies remain a mystery to this day.

The very next month the same year, two boys – Mohanlal Yadav, aged four, and Vedant Manode, aged five – were killed at Asaram's Chhindwara gurukul in Madhya Pradesh, found dead in toilets on consecutive days. While the boys' parents said that it was their fate to lose their sons, the police arrested a '"mentally unstable"' ninth-standard student for the murders.

When on 29 August 2012, Asaram Bapu survived a helicopter accident in Godhra with not even the slightest of injury, and went on to the satsang following the incident, impressing upon the watchers and listeners the benefits of Vedic mantras like the Mahamrityunjaya Jaap

that saved him and his co-passengers, his claims to sainthood would have seemed unbreakable. ‘Nature does show miracles to save righteousness in Iron Age too,’ the ashram’s website says in this context. He has been known to cure the incurable, cause rainfall in famine-struck areas, bless the poor with wealth, the uneducated with intellect. Sant Asaram has always been projected as the incarnation of god, one capable of miraculous powers, successfully creating and maintaining the aura of the ‘giver’.

There have been and continue to be many a devout follower. Neelam Dubey, Asaram’s public relations officer (PRO) in Delhi, once said that Bapu had freed her from the habit of drinking thirty-five cups of tea on a daily basis. She also compared Asaram with Guru Nanak! After receiving mantra-initiation from Asaram, Rohtak’s Virendra Mehta memorized all 80,000 words of the *Oxford Advanced Learner’s Dictionary* along with their page numbers and made it to the Limca Book of Records. A paralysed O.P. Mall, chairman of Howrah (jute) Mills, apparently walked out of an Indore nursing home to attend Asaram’s discourse.

Doctors had once said to Rochiram, father of eight-year-old Anil, that his son would go blind, given the trouble he had had seeing. He went to Bapu and, owing to the water and prasad Bapu gave him, which he then rubbed on his son’s eyes, Anil recovered. The now thirty-something Anil from Motera believes he would have been blind had it not been for Asaram’s blessings.

Stories like the above helped cultivate Asaram Bapu’s saintly credentials, and his political connections helped in further endorsing them. To the masses, Asaram represented the perfect binary. On the one hand, he was shown to have the power to fill the hearts of devotees with bliss and peace, and on the other, he could make miracles happen. He was also projected to be a Lok Sant, staunchly supporting the concepts of unity and integrity of the nation, his discourses free of religious bigotry and sectarianism. His disciples therefore belonged to diverse religions.

As Chhaya Joshi explains, in the 1980s, Asaram arrived at a time ‘when Hindutva was on the rise’. Besides, Gujarat has always had a ‘tradition of preachers’. Asaram Bapu was able to suitably influence the political classes and even the local policemen. ‘He also recruited men from UP and Bihar who became lathi-wielding saadhaks, as seen on TV, thrashing journalists.’ According to her, with his publications being sold

across several countries and a private slot on a TV channel, he was able to use the media to his advantage.

In September 1993, Asaram participated in the Parliament of the World's Religions in Chicago. The event was attended by more than six hundred speakers from across the world, and he was invited as the chief speaker from India. It is worth noting here that the Sant's visit to the Parliament of the World's Religions was marketed to have taken place exactly a hundred years after Swami Vivekananda's visit to the same on the ashram's website. This helped associate Asaram's achievement with that of Swami Vivekananda: they were both great inspirational personalities for millions of Indians. This was a well-laid-out strategy to earn innumerable followers who started comparing the godman to Swami Vivekananda.

The website also claims that 'while other orators were given less time, people listened to Pujya Bapuji with rapt attention for 55 minutes on one occasion and 75 minutes on the other … He was the only Indian personage in the Parliament of World Religions, who had the opportunity of addressing the listeners thrice.'

Asaram seemed to have made good use of the psyche that placed gurus on a pedestal most high. Doubtless, he glorified his guru, Lilashahji Maharaj.

Besides, in one of his most persistent campaigns against the growing influence of 'westernization' on Indian society, Asaram also led the cause for the abolition of Valentine's Day, which is widely popular among young couples and teenagers as an occasion to express love for each other. He proposed that all state governments should declare 14 February as the 'Matri Pitri Pujan Diwas' (Parents' Worship Day) every year and even got Chhattisgarh to impose it as such. Circulars were sent to schools all over the state, its chief minister, Raman Singh, piously announcing it at the guru's Raipur ashram in January 2007.

Such preachings by Asaram were widely acclaimed by local outfits and got huge publicity. His teachings not only had a religious touch but countered 'westernization' in the name of religion and linked it to Hindu nationalism. Such was his influence that even political parties made ample use of them by further asserting such beliefs in society in the name of 'Hinduism' or the 'true Hindu nationalist'.

It is this popularity that made him immune to all the controversies against him. Maligning him meant maligning a great saint. People were made to believe that an attack on Asaram was an attack on the beliefs of

Hindu culture and an attack on their god. Being cynical was no less than being anti-Hinduism, or an atheist. Individuals were targeted for such acts and whenever such controversies happened, Asaram called them an ‘act of sin’ against him and Hinduism, and this was widely telecast in his TV interviews and talk shows.

‘I am the atman [soul] abiding in all beings’, is one of the phrases that personifies godman Asaram on the ashram’s website. Another describes Asaram Bapu as ‘benefactor of the deprived’. According to him, one’s life must be a celebration (utsav). ‘“Ut” means supreme and “sav” means *yajna* (sacrificial act). Feeding a hungry man, giving water to the thirsty, showing the way to one who has lost his way, providing courage to the dejected, showing the path of *satsang* to people in bad company – all these are *Karm-Yajnas* (*Yajnas* performed through selfless action).’

True to his benevolent self, Asaram has had several welfare programmes, all run through his ashrams situated in India and across the world. The Sant Shri Asharamji Ashram, the main ashram, was established on 29 January 1972 in Ahmedabad, on the banks of the Sabarmati River. There are also over 1,400 Shri Yog Vedanta Sewa Samitis (SYVSSs), 17,000 Bal Sanskar Kendras (BSKs), and thousands of Yuva Sewa Sanghs (YSSs) and Mahila Utthan Mandals (MUMs). The organizations work towards the upliftment of women, youth and prisoners, besides the poor and ill. For instance, the ashrams distribute ration cards to the widows and destitute, for them to access basic necessities on a regular basis per month. There are Vanvasi Upliftment Centres looking out for tribals and forest-dwellers. Asaram has been of service during times of natural calamities and disasters, be it in Latur, or Bhuj, at the time of the earthquakes there, or during the famine in Gujarat.

There have been havans conducted by Asaram’s disciples for protecting the environment too.

Besides, there has been literature, in the form of monthly magazines, books and spiritual videos that help propagate Asaram’s discourses. These discourses relate ways to attain moral and spiritual values, and also Vedantic knowledge by assimilating Bhakti Yoga (devotion), Karma Yoga (selfless service) and Gyan Yoga (knowledge), all leading towards attaining Supreme Bliss in the simplest manner. Asaram’s discourses are available on the Internet as well, apart from being telecast

on television channels such as the Mangalmay IPTV Channel.

The Sant Shri Asaram Bapuji's Incarnation Day (Avataran Diwas) is celebrated in his ashrams with much fervour every year as 'Vishwa Sewa Divas'. It is a day meant to serve humanity by keeping in mind '*Vasudhaiv kutumbukum*' , i.e., 'the whole world is one family'. Apart from Gujarat, this day is celebrated outside the jail premises in Jodhpur, where the godman is serving his sentence, too.

About someone who has always been known to have led a 'simple life', with 'simple food' and 'gangajal' to get by in life, such vulnerabilities as have been listed above might seem off-piste. But as the story of his conviction unfolds in the following pages, one will witness how the infallible godman, 'the embodiment of [the] ancient Vedantic ideal of perfection', the 'perfect Rishi', and one who was touted to be 'the ideal man for the modern age', was finally trapped by a truth he never thought would be revealed.

ONE

The Beginning

OFFICE OF THE DCP (WEST), JODHPUR
20 August 2013

As I sat in my office that day, feeling the pleasant breeze wafting in from the window that looked across the lush green Ashok Udhyan – the biggest park in Jodhpur – made even greener by the ongoing monsoons, I experienced a keen sense of contentment. I was happy about the fact that, during my time as the Deputy Commissioner of Police (DCP, West), Jodhpur, we had been successful in keeping the city largely free of crime, and that my force was handling the responsibility of maintaining law and order in the city competently.

This was to be just another day. Or so it seemed, until lunchtime, when my personal assistant (PA) put me through to a Star News reporter, who was calling from New Delhi. I had no inkling of what was to come my way; the enormity of it, too.

'Good evening, sir, I am calling you with regard to the FIR that has been registered against Asaram Bapu, in connection with the rape of a minor girl in Jodhpur.'

All of a sudden, my mind was on high alert. I was aware of the self-styled godman who called himself Asaram Bapu. I had heard that he had, in a short period of time, amassed enormous wealth, opened several ashrams and had a prodigious following of devotees, cutting across the length and breadth of the country. His devotees comprised the poor, the middle-class, the affluent. I was also aware of the proximity he shared with politicians and the powers that be. He was known to address huge congregations of his devotees even in Jodhpur, at an ashram situated on the outskirts of the city, as well as at other venues in the city.

I had no information regarding this so-called FIR, I informed the reporter. 'I can, with full authority, tell you that no FIR has been

registered against Asaram Bapu here in Jodhpur,' I said, in all honesty, and put the phone down.

While I was speaking to the gentleman from the news channel, I had noticed that my mobile phone had been ringing incessantly. The call now over, as I reached for my phone to look at the missed-call notification, in order to check who it was that was calling repeatedly, the phone rang again. It was the DCP, Delhi Central.

This took me by surprise, since there had never been a situation in the past which had warranted a call to my office from a DCP from Delhi. Nevertheless, I took the call, and after a mundane exchange of pleasantries, he dropped the bombshell.

He was calling to say that they had received a complaint from an underage girl, who reported that on the night of 15 August 2013, she was sexually assaulted, allegedly by Sant Asaram Bapu. The alleged incident had taken place in a village called Manai near Jodhpur.

I was slightly surprised at this detail. Normally, an incident that took place in Jodhpur should have been reported in Jodhpur itself. I wondered why the girl and her parents had travelled all the way to Delhi to lodge an FIR when they could have done the same here.

The DCP further informed me that after receiving the complaint from the victim and her parents at 11.55 p.m. on 19 August 2013, an FIR had been registered at the Kamla Market Police Station in Delhi at precisely 2.45 a.m. on the following day, i.e., 20 August, under sections 342, 376, 354A, 506, 509/34 of the Indian Penal Code (IPC), sections 23 and 26 of the Juvenile Justice (JJ) Act; and Section 7/8 of the Protection of Children from Sexual Offences (POCSO) Act.

The medical examination of the victim had been conducted at the Lok Nayak Jai Prakash Narayan (LNJP) Hospital in Delhi, at 1.05 a.m. on the 19th itself and her statement recorded under Section 164 CrPC in front of a magistrate on the 20th.

The DCP had called to inform me that since this incident had purportedly taken place within my jurisdiction, they had deputed a team of the Delhi police to meet me in Jodhpur, along with the victim and her parents, to hand over the pertinent case documents to me to investigate the matter further.

Impressed as I was with the alacrity, speed, sense of purpose and thoroughness of the Delhi Police, somewhere at the back of my mind, I credited this efficiency to their general alertness and empathy in the aftermath of the horrific Nirbhaya rape case – a singularly gruesome

incident that had happened in Delhi in December 2012, that had left the entire nation shocked and hungry for justice.
(On 20 March 2020, the four perpetrators convicted of rape and murder in the case – Akshay Thakur, Mukesh Singh, Vinay Sharma and Pawan Gupta – were hanged to death in Tihar Jail. This came after prolonged delaying tactics by way of appeals and mercy petitions at various levels.)

'Can you give me some more details?' I probed.

'As per her FIR, this particular incident occurred in a place called the "kutiya", which is adjacent to a large farmhouse of one of Asaram's followers, Vishnu Dewada, in Manai village, 35 kilometres from the city of Jodhpur.'

What also puzzled me was the gap of four days between the alleged sexual assault and the filing of the complaint. There were too many questions rising in my mind. It would, however, be best to await the arrival of the victim and the case documents, for only then could this gathering fog of doubt clear itself.

The conversation with the DCP, Delhi Central, now complete, the never-ending sound of the telephone ringing in my office – courtesy the bombardment of calls from various news channels and newspaper offices – foretold frantic days when there wouldn't be even a moment to spare. This was to be our new normal.

In police work, I have always relied on and believed in three Ps: pre-emption, planning and preparation. Since this case involved a famous self-proclaimed saint, who was respected and even worshipped as a god by more than four crore followers all over the country, I knew that if I ever needed the three Ps, it was going to be now.

I immediately swung into action and sent a team to the location to scan and examine it thoroughly. I also gave clear instructions to the Station House Officer (SHO) of Soorsagar, Sub-Inspector Madan Beniwal, within whose jurisdiction the Scene of Crime (SoC) fell, to seal and secure the entire campus until investigations were completed. The investigating team would be required to visit the SoC multiple times and the evidence, any that remained, would need to be safeguarded. In any case, one would not be very wrong to assume that not much of the forensic evidence would be found at the SoC because of first, the sheer delay in filing the FIR, and second, whatever important forensic evidence there was, which would have proven crucial for the case,

would have most likely been destroyed by now. That is because the SoC had been under the control of Vishnu Dewada, Asaram's disciple, and owner of the farmhouse.

My visit to the SoC took place at a later time. After Sub-Inspector Beniwal, SHO Mukta Pareek had been the second to reach it, and preserve the scene of the alleged crime. This had followed her hearing from the victim what had passed in the farmhouse. I was privy to the victim's version of events before I went to the kutiya. Normally, one could visualize a kutiya as a small hut made of bricks, that's plastered with mud and has a thatched roof, without any items of luxury or comfort inside it. At least, that is what I had imagined it to be from the mythological stories that I had read, or seen in the Amar Chitra Katha comics when I was young. A kutiya, in my mind, was the austere abode of saints who had renounced all the luxuries of life and lived only to pray, with the aim to gain enlightenment. Well, this kutiya was anything but spartan. Situated in the middle of two acres of a luxuriously green agricultural field, and isolated from the rest of the village by a boundary wall, the kutiya was about five hundred yards away from the main farmhouse. It was a plush two-bedroom bungalow, made of stone, with a fancy white-marble terrace. It had a kitchen and bathrooms, and, among other items of comfort, split air conditioners and comfortable double beds with thick, cushioned mattresses. There was a driveway, too, starting at the gate and leading right up to the well-manicured lawn that was immediately in front of it. The driveway helped separate the farmhouse from the kutiya. Around the time Asaram resided there, a green cloth, similar to the one that is used to protect plants from the summer sun, was put all around the boundary wall of the kutiya to make it impossible for anybody, including prying cameras, to look in. While it was apparently a place for the godman to rest and pray in, in my eyes, the kutiya appeared to be no more than a fancy den for enjoying the many material pleasures of life. While I was there, I thought it would be prudent to film a video of the place on my mobile phone, should I need to refer to it at some point during the course of the investigation. And so, I did.

Meanwhile, a separate team was sent out to receive the police party that was travelling to Jodhpur by road, accompanying the victim and her parents. Escorting them to my office safely was of prime importance. I did not want the supporters of Asaram, or the media – who had suddenly become excited upon receiving information about the FIR filed in Delhi

and about the imminent arrest of the godman – to waylay them en route, and harass or harm them in any way.

Thereafter, I got down to concentrating on the three Ps, ensuring that once the victim and her family arrived in Jodhpur, the Jodhpur Police was ready to get cracking with investigating the alleged crime and, if found guilty, arrest Asaram. That it would be no mean task was a no-brainer.

So, close on the heels of the investigation, I listed out the areas of concern and put them into three categories: first, anticipating a massive influx of Asaram's followers into the city, my main duty was to make sure that life went on as usual there, that the ordinary citizens were not harassed or inconvenienced in any way, and that there was no loss of life or damage inflicted on property.

The second, and perhaps equally important, area of concern was to manage the media as also public opinion. This was important because I did not want the police to be portrayed as oppressors of a saint, a man who was god incarnate for crores of people around the country, including some very high-profile, important politicians and influential businessmen.

The third and the most important task in front of me was to pick a team of policemen who had impeccable integrity, resourcefulness and courage to carry out a thorough and fair investigation of the alleged crime.

I realized that the job at hand would require all my ingenuity, training and experience. I was ready and up for the challenge.

I waited for the police party from Delhi to arrive.

On 21 August 2013, around 4 p.m., the police party from Delhi, along with the victim and her parents, were escorted into my office. After the formalities of the case handover were completed, the police team from Delhi briefed me once again about the complaint of the alleged rape of the minor and, thereafter, left for Delhi immediately.

I went through the documents that had been submitted by the Delhi police team and instructed my office to have another FIR registered at the Women's Police Station, Jodhpur. The fresh FIR was registered around 6.15 p.m. that same evening.

Once the FIR had been registered, I invited down to my office some close associates and followers of Asaram, who managed the affairs of

his ashram in Jodhpur, for an interaction. It was my belief that they needed to be taken into confidence and be assured of a fair and transparent investigation, so that they did not indulge in rabble-rousing or create law-and-order problems in the city. The latter may have caused harm to life and property, as well as impeded the ongoing investigation. I spent around an hour with them, discussing the complaint and the FIR that had been filed against their guru, and informed them that it was my responsibility to investigate the matter. I assured them that truth would prevail and that my office would brief them from time to time. This straightforward conversation helped dispel any fear or doubt they might have had and by the time they left, they were considerably less agitated than they had been when they had arrived.

Having anticipated the crowd that would possibly arrive soon, I had identified a huge ashram on the outskirts of the city at Pal (a village situated on the edge of Jodhpur), from which Asaram used to deliver his sermons. This could house the followers. I conveyed to the group that had come to meet me that it would be their responsibility to manage those people. They welcomed it and gave me their word that they would do their best.

A person from within the group, who seemed like their leader, spoke up, 'DCP sahab, *aap nishchint rahiye* .' (DCP sir, you can rest assured.)

Smiling, I heaved a sigh of relief.

Soon after the people from the ashram had left, my PA connected me to Sub-Inspector Beniwal, who was calling from the SoC. Beniwal told me that Mr Dewada's farmhouse fell under the jurisdiction of the Mandor police station, which was in District East. The trouble was that the farmhouse was the extension of the backyard of Mr Dewada's house, merging into the agricultural land where the kutiya (SoC) was situated, and this portion was under the jurisdiction of the Soorsagar police station, which fell under District West. This disclosure led to a debate over the jurisdiction of the SoC; there was a possibility that the SoC did not actually fall within my jurisdiction. Although a little surprised at the turn of events, I told my office that if that was the case, the DCP (East) be informed accordingly.

The DCP (East) was immediately contacted, informed about the case and told that Vishnu Dewada's farmhouse in village Manai fell under his jurisdiction. An officer from the Rajasthan Police Service (RPS) cadre, who had just been promoted to the Indian Police Service (IPS), the gentleman had joined as DCP (East) in Jodhpur only a few weeks back.

He was, however, not too keen on continuing in Jodhpur at his given post and was on the lookout for a suitable posting outside the city, preferably in the state capital. Moreover, since he was more aware and well-versed with the nitty-gritties of high-profile cases, he didn't want to be engaged on a case that would, in every probability, involve months of investigation and, therefore, become a reason for holding him back at his present posting.

I understood his reluctance towards taking up such a case. He had had an outstanding career spanning twenty-five years and even if he were to bring the culprit to book, it was not as if he would be given an extension of service. It was a no-win situation for him. I empathized with his predicament. So, when he insisted that a proper examination of the jurisdiction be carried out, I did not mind.

Upon his request, the Jodhpur city Patwari (an official who maintains records regarding the ownership of land) measured the grounds of the SoC with the help of a measuring tape. It proved to be a laborious process. Once it was completed, we discovered that though the farmhouse of Asaram's followers fell within his jurisdiction, the actual SoC, the kutiya, about five hundred yards away from the farmhouse, where the underage girl had been allegedly raped by the self-styled godman, fell under the jurisdiction of the DCP (West).

I accepted the finding, and since I had already begun some amount of preparations to investigate the case, I proceeded to resume the process in right earnest.

I shook hands with the DCP (East) and wished him a happy tenure. I also requested him to remain in touch, so that I could benefit from his vast experience in the department. He thanked me for my cooperation. As we parted, the look of happiness and relief that I saw on his face is something that will stay with me for the rest of my life.

TWO

The Testimony

JODHPUR
22 August 2013

Before we move on to describing the steps that we took as part of the investigation – starting from choosing the team to building a strategy to prepare for the case and so on – it is important that the story the victim had to recount to our SHO, Mukta Pareek, at the time of filing the fresh FIR, be laid out in full. Only then can the gravity, the depth the investigation was to assume, as time progressed, be fathomed.

When the victim and her family were to meet me in my office just before the filing of the fresh FIR (at the Women's Police Station [West], Jodhpur), I had called in advance Additional Deputy Commissioner of Police (DCP) Satish Chandra Jangir, Assistant Commissioner of Police (ACP) Chanchal Mishra and SHO Mukta Pareek – officers who were going to be an integral part of my team, and ones I will write at length about in the pages to come. At this point, please note that I had decided to appoint ACP Chanchal as the investigating officer of the case and SHO Mukta as her adviser. But appointing ACP Chanchal as investigating officer on paper was done only after the FIR was registered. When the girl was narrating the incident to me, Mukta was sitting right beside me. While revealing to me the outrage that had been committed, the underage girl reached a point when she became hesitant, unable to bring herself to say the things that she had been made to undergo during the course of the sexual assault on her. Clearly, the presence of male police officers amplified her sense of discomfort. I did try to assure her that it was safe here, but in vain. Consequently, I asked Mukta to take the girl to a separate room, an isolated space, where she might find it easier to speak; it was essential that we had on record the minutest details of the incident.

Following their departure, when, about half an hour later, Mukta returned to my office, I was surprised to see the veteran police officer with tears in her eyes, unable to utter a single word. I had never seen her like that, and couldn't imagine that an officer like her, who had been through some of the worst cases and handled the toughest of investigations, would be sitting in front of me, emotionally wrecked. I admired her empathy for the young victim and asked her to compose herself.

After some time, when she finally looked at me, her eyes were still wet from the tears. She said, 'Rape *toh hua hai* , sir!' (Rape has definitely taken place, sir!)

As part of any investigation, it is important that, as an investigator, one has a clear picture of the events as they would have unfolded. When I say 'a clear picture', I refer to having the facts laid out in front of me, unadulterated by any kind of emotion, no matter how justified. So, as much as I respected the emotion that Mukta was experiencing, having heard, first-hand, the victim's narrative, I wanted to hear the details regarding the incident myself. Therefore, I requested her to narrate to me the entire story, as told to her by the victim.

The SHO paused for a moment to compose herself and recounted to me what the girl had told her, as she had told her. She began:

'When I asked the girl to narrate the entire story to me, careful that she leave out no detail, this is what she told me in her own words…

'"I belong to Shahjahanpur, Uttar Pradesh. My father has a transport business there with about eleven trucks. For years, my entire family has been a devotee of Asaram Bapu. My father even took loans to get a small ashram built there for guru ji. My brother and I were sent by my parents to Bapu's gurukul [residential school] to study. We stay at the ashram-cum-hostel there.

'"On the 2nd and the 3rd of August, I started feeling sick. Since I had not been well for two days, I felt weak and fell. My classmates somehow managed to take me to the room that I shared with other girls and laid me down on my bed. Then, they informed the warden of the hostel, Shilpi ma'am, about my condition. When the warden came to my room, she asked the other girls what had happened. When they told her that I had not been feeling well for the last few days and had fallen down perhaps due to weakness, she asked me to lie down and take rest.

‘“I slept, but the warden did not take me to any doctor for the next two days. Then, on the third day, she called me down to the office of the director of the ashram. When I reached his office, I saw that another girl was already present there. They told me that she was possessed by demons and was under the influence of evil spirits.

‘“As I stood in front of the director, he looked at me for a long time and then told me flatly that I, too, was under the influence of evil spirits. He told me that I needed to pray, chant mantras and perform rituals to ward off the evil spirits that had gained control over me and were making me sick.

‘“I was told by both the warden and the director to become satvik (virtuous) and spend more time in doing sadhana (concentrate/study religion). The very next day, I experienced an acute pain in my stomach, but still, they asked me to sit and continue to perform religious rituals. I was made to sit through the chanting of the Mahamrityunjaya mantra to please Lord Shiva, and even asked to chant them. They did not even allow me to sleep.

‘“The next day, as I lay in my room, Shilpi ma’am came in and said to me that I was under the influence of evil spirits and the matter had been conveyed to Bapu. She asked me to tell my brother about it and also inform my parents in Shahjahanpur.

‘“On the 7th of August, she telephoned my elder brother and made me tell him what she had asked me to say. Upon her instructions, I told my brother that my condition was very serious and that they should arrange to send me for treatment.

‘“On hearing about my condition, my parents rushed to the ashram. They reached on the 8th of August, but were prevented from meeting me. It was only on the 9th of August that they were finally allowed to meet me, but warden Shilpi was with us throughout our meeting. She told my parents that I was under the influence of evil spirits, that Bapu had already been informed of my condition and we would have to go wherever he currently was to meet him.”’

At this point, Mukta stopped and said to me, ‘Sir, that warden, Shilpi, scared the little girl about being possessed by evil spirits and she did not realize the vortex that she was being pulled into. She did exactly as Shilpi said.’

I nodded and asked her to resume the story of the girl.

‘Sir, next, the girl said…

‘“My parents were asked to locate Asaram Bapu, and meet him. My

father, owing to his long association with Bapu's ashrams, knew Bapu's attendant, Shiva, as he has been with Asaram Bapu for a long time. He sought him out and asked him where we would be able to find Bapu. Shiva told us to go to Delhi as Bapu was there.

'"Then, my parents and I decided to go to Delhi to meet Bapu, as advised by warden Shilpi, to seek treatment for my condition. We reached Delhi on the 12th of August, but when we failed to locate him there, we were told that Bapu was in Jodhpur.

'"We left Delhi and reached Jodhpur on the 14th of August. Once we reached Jodhpur, Shiva called us to the kutiya at Manai.

'"When we reached Manai, I realized that it was not a kutiya but a proper house. We saw Bapu there; he was doing satsang, singing devotional songs, with about a hundred and fifty of his followers. After the satsang got over, he called us over and spoke to us.

'"'Hari om, Hari om…' he said, looking directly at me.

'"We all folded our hands and bowed our heads in front of him.

'"'Where have you come from?' he asked us.

'"'Bapu, we were told that we are to meet you…' my father told him politely.

'"'Achha, achha … okay, you are the girl who is under evil influence and has been possessed by demons. All right, let's look at this demon of yours. And let's get rid of him too,' he said, looking directly at me.

'"Then, he got up from his chair, took some water in his palm from a copper vessel and sprinkled it on my face after reciting some mantras. At once, I retreated a step backwards as the water hit my face with great force. Then, he looked at me closely, again, and placed his hand over my head. He had a benign smile on his face.

'"'Hmm … How are your studies?' he asked me gently.

'"'Ji, it is fine,' I told him softly.

'"'Okay, now, go and rest in Vishnu's house,' he told us.

'"Then around 10 p.m., we were summoned by Bapu to the same garden. When we reached there, he started showing us his kutiya and then, later, while strolling in the garden, he began chatting with us.

'"He sat down on a garden swing and, gently swinging, he asked me directly, 'What do you want to become after you complete your education?'

'"'CA,' I told him.

'"He gave a short laugh and told me, 'What will you do by becoming

a CA? They are all sitting at my feet. Become a teacher.'

'"Then, after a pause, he told me, 'You stay on here and perform religious rituals for eleven days. You can go to Ahmedabad. As for your parents, they can go back home.'

'"I nodded, and asked him, 'But, Bapu, what about my studies?'

'"He thought for a moment, and then said, 'We will send you back to the gurukul with someone after you have been cured.'

'"After this, we all retired for the night in the room on the first floor of Vishnu Dewada's house. The next day, Bapu arrived a little late for the satsang. The satsang over, we were about to leave, alongside the other followers, when Bapu summoned us. It was around 10 o'clock then.

'"When we reached his kutiya, he met us in the garden. Then, he sat on a chair and started explaining to us the rituals, etc. After some time, he asked my father and mother to go sit near the main gate – about five hundred yards from the kutiya – and chant mantras. He also asked his cook to bring us some milk, after which he went into his room and we saw the lights inside the room go off. The room was now in darkness.

'"After some time, the cook, who had given us the milk, asked me to come and sit near the stairs behind Bapu's room and asked my parents to leave. My father left immediately and, as directed by Bapu, went and sat on the other side of the main gate while my mother continued to sit some distance away in the garden itself.

'"I sat behind Bapu's room as directed. After some time, Bapu opened the rear door of his room and gestured at me to come inside. I hesitated but entered his room which was in complete darkness. The only little illumination inside the dark room was from the light filtering in from the outside.

'"When I adjusted my eyes to the darkness, I saw that Bapu was lying on his bed. As he saw me, he asked me to come and sit next to him on the bed. As I sat on the bed near him, he grabbed my hand and started massaging it gently. I tried to pull my hand away but Bapu held it firmly. Holding my hand, he tried to draw me close to him. When I resisted, he loosened his grip and released me. Then, in a gentle voice, he started telling me that I would have to perform some rituals with him to get rid of the evil power that had possessed me. I kept quiet. After all, hadn't we all travelled from Chhindwara to Delhi and again to Jodhpur for Bapu to cure me?

'"Then, Bapu planted a kiss on my forehead and hugged me close to

him. He kept kissing me for some time all over my face. He released me after a while and started removing his clothes. I was quite shocked at this, because I had never been in this kind of a situation before. I had never been in a room alone with a man. But I told myself that this was our guru, the man my entire family had been worshipping for so many years as our god and our messiah. I was scared to upset or defy him. I was also scared that my parents would scold me if I did not do as Bapu asked me or failed to comply with his wishes. This man was a saint … a god incarnate, wasn't he? I kept telling myself that his removing his clothes and getting stark naked in front of me must be a part of some ritual that he wanted to perform to help rid me of my demons.

'"I kept sitting on the bed with my eyes lowered as I was ashamed to look at Bapu who did not have any clothes on."'

Mukta stopped suddenly, her eyes lowered. I asked her what made her stop in the middle of recounting the story the girl had narrated to her, although a little embarrassed by the turn the story had taken. I realized that Mukta, too, was embarrassed and uncomfortable telling me about it. In response, Mukta apologized.

'Sir, I am sorry,' she said. 'But I couldn't tell you what she told me here onwards. I am very embarrassed and ashamed to explain to you what happened in that room and what Asaram did to the poor little girl.'

Satish and Chanchal, who were present there, too, tried to cajole Mukta to continue, as we had to plan our strategy and gather evidence for the investigation based on the details of the incident. We were already delayed by more than five days in lodging the FIR, and we knew that to collect evidence from the scene of crime, too, was going to be difficult. The detailed description of the incident was required to ascertain the veracity of the claims the victim was making, but seeing Mukta's hesitation, I intervened.

'I fully understand the reason for your hesitation. It may be because I am a male and your superior officer because of which you are feeling embarrassed to talk about it. Mukta, I am going to make it simpler for you; just tell me, if you can, whether the girl's accusations are true, that's all, and I will draw my own conclusions.' I spoke to her as if I was speaking to my sister rather than my subordinate police officer.

She looked up and said to me in a slightly distressed voice, 'Sir, like I said before, rape *toh hua hai* , but if we want to classify it, we can say that rape took place in all its meanings and definitions under the law, except there was no intercourse.'

I understood what she meant. The underage girl had been subjected to oral sex and digital rape by the controversial, self-styled godman, who was revered by millions. How shameful that a man of his age and stature would indulge in such a despicable act with a girl young enough to be his granddaughter.

Once again, I controlled the anger rising inside me and requested Mukta to continue with the rest of the girl's story, if she was comfortable doing so.

'Yes, sir…' she said quietly. 'I am sorry. It's just that I was not comfortable speaking in front of you about the terrible things that the dirty old man made the young girl do.'

'I completely understand, Mukta. There is no need to apologize. Please continue,' I said to her, as gently as I could. She nodded and continued with the rest of the girl's ordeal.

'"Bapu had worn his clothes by now and was waiting impatiently for me to get dressed and get out. When I was ready, he looked at me sternly and said, 'Remember what I said. If you go out and say anything about what transpired here, I will have you and your brother and your parents killed. Hear it and remember it if you know what is good for you and your family. Now, get out and go back to where you came from.'

'"I looked at him terrified, and went out of his room. As I went around the room, I saw my mother sitting in the garden, chanting some mantras as she had been advised to do by Bapu. It had been close to one and a half hours since I had been inside the room with Bapu, being a victim of his depravity, and all this while my mother had been sitting right outside doing her chanting like a devout follower of the man.

'"When she asked me how the rituals went, I did not say anything. I just walked out of the main gate to our room on the first floor of Vishnu Dewada's house like a zombie and lay down quietly on my bed. I could not sleep a wink. I could not confide in my parents, lest some harm came to them. All I could do was weep silently until dawn.

'"In the morning, my parents and I left for Shahjahanpur. If my parents suspected something from my silence, they did not probe. They believed I was unwell and was under the influence of an evil power, thus they did not want to trouble me further by asking too many questions.

'"On my part, I was too scared and upset to say anything. I still could not believe what had happened inside that room that night and how a man that my parents considered as god had molested me. I didn't feel like eating or speaking. I just lay on my bed and stared at the blank

walls. At nothingness.

‘“But the entire episode was eating me up from within. I felt if I did not tell somebody about it, the hurt and the pain of being molested by an old man whom my entire family revered for years and for whom we had given our time, money and devotion, could just kill me. I decided to confide in my mother and tell her the story of the entire one and a half hours of when I was inside that room with Bapu.

‘“When she came to my room with a plate of food and saw me sitting, staring blankly at the walls, she put her hand on my head to comfort me. She asked me how I was feeling. When I did not respond, but kept on staring blankly, she got worried. She could make out that something was troubling me, but thought it might be related to my health. She hugged me, stroked my hair and told me that everything will be okay. That’s when the dam broke inside me. I burst out crying. I knew nothing would be all right. Ever.

‘“ Seeing me wailing like that, my mother got more worried. She at once knew that there was something that I was not telling her. She coaxed me, implored me to not bottle up my emotions but to tell her what had happened.

‘“I looked at her and said, ‘Ma, Asaram Bapu is not the god that you think he is.’

‘“Shocked at what I had uttered, she asked me what I meant by that. I looked her in the eyes and told her every little bit of what had passed on that fateful night. When I finished, I saw that she was crying and there was a look of disbelief, hurt and panic in her eyes. She was simply dumbfounded by my revelation about Bapu. She immediately hugged me and caressed me in an effort to soothe my pain. But my pain was not going to go away that easily. My mother and I cried for a long time before she suddenly got up, a determined look on her face, and walked out of the room to tell my father about the entire episode.

‘“When my father heard of my ordeal, he was livid, shocked, hurt; he felt cheated. He felt cheated because he had devoted eleven years of his life and resources to serve the man he took to be god incarnate. He was shocked and hurt because he never expected a father figure, a guru and a seventy-two-year-old man to molest and rape an underage girl who was young enough to be his granddaughter. He was livid because that girl was his own daughter. At once, he decided to leave with me and my mother for Delhi, where Asaram Bapu was supposed to be holding a pravachan (discourse), as he wanted to speak to him and ask him why he

had behaved the way he had with me. He wanted an explanation from his guru, his god.

‘“We left the next day and reached Delhi on the 19th of August but, despite our best efforts, were unable to meet Bapu. Even though we reached the venue of the discourse that Bapu was holding, his attendants and security people would not allow us to meet him. In fact, they shooed us away by saying that he was not in Delhi, that he had already left. Where, they did not know. We realized that our running from pillar to post, looking for him to have a word with him, was not going to be possible as he had probably instructed his attendants that we should not be allowed to gain access to him. Tired and dejected, my father decided to lodge a police complaint against Bapu.

‘“We sought out the nearest police station and walked into the one at Kamla Market, later the same night. When my father informed them that he wanted to lodge a complaint of rape, he was asked about the identity of the person accused. When my father told them it was his guru, Asaram Bapu, the police, too, were shocked to hear that such an old, high-profile, reputed man who had crores of followers in India could do such a thing to a minor girl. I am grateful for how promptly they registered the complaint.

‘“After that they escorted me to the LNJP Hospital in Delhi for a medical examination to verify the assault on me by Bapu. I was examined that very night at around 1.05 a.m. and taken back to the police station where an FIR was registered at 2.54 a.m.

‘“We were asked to remain at the police station until the next morning as I was supposed to be produced before a magistrate the next day for the recording of my statement. Madam, I told the same story there that I have told you right now.

‘“Then, we were told that the police would be escorting us to Jodhpur as the crime had been committed here and I was brought to your office on the evening of the 21st of August. Please help me, madam.”’

When Mukta stopped recounting the story in the victim’s own words, there was complete silence in the room for some time. Only the whirring of the fan could be heard. We both sat there emotionally drained, looking at each other, shocked and angry in equal measure. It was Mukta who broke the silence.

‘Rape *toh hua hai* , sir,’ she said once again.

I nodded because under the provisions of the POCSO Act, 2012, and

in the amendments in the definition of rape in the IPC, assault via oral and digital sex is also to be considered as rape and is a non-bailable offence. It seemed to me that the girl was not lying or concocting a story at someone's behest just to defame a respected saint. Her claim was further strengthened by the fact that she could describe the scene of the crime in minute detail, as also recount the sequence of events so meticulously.

In view of the harrowing victim testimony that I had heard, I knew I had to ensure that justice was delivered. I was going to investigate the matter with all honesty, diligence and without any fear or favour to bring the culprit to book. If the girl was not lying, as seemed likely, my work was cut out for me. It would be up to me to lead an investigation that could collect and file prosecutable evidence in court which could lead to the conviction of the culprit. Many a time, the rich and powerful feel that the arms of the law can never reach them because of their money power and their contacts in high places. I decided I was going to change all that. If the accused was guilty, I would teach him that above all, the law must be respected. I would look for irrefutable, clinching evidence, and if I found that the accused had in fact perpetrated the dastardly crime, I was going to get him convicted.

I was going to submit factual evidence and then let Asaram prove his innocence in the court of law, since under the POCSO Act, if the victim is underage, the onus of proving innocence rests with the accused, instead of the victim bearing the burden of proof to establish guilt. This was going to be a tough case, but I was quite certain that we were going to get the victim due justice.

THREE

The Tough Twenty

JODHPUR
22 August 2013

The issue of jurisdiction settled, I got down to investigating the case.

My first duty was to inform my superior, the Commissioner of Police, Jodhpur, Mr Biju George Joseph, IPS, who was known for his integrity, straightforwardness and decisiveness. Having taken over charge as commissioner a month before the infamous incident, Mr Joseph was new to the city of Jodhpur.

When I took him to the scene of crime and narrated the sequence of events as mentioned in the FIR, he commented at once, 'Ajay, let's proceed and be prepared for a long battle to ensure justice for the girl.'

Throughout the entire term of the investigation, the commissioner's faith in me and the team remained unwavering. He supervised the progress of the case and guided the whole team. The alacrity with which he allowed me a free hand in making the decisions I made helped immensely in drawing the investigation to a satisfactory close.

To begin with, I was going to need a dedicated, efficient and incorruptible team in place to investigate the case. What I was going to place the most value on was integrity. I could, for instance, overlook past indiscretions or mistakes of the team member if the person was efficient and result-oriented. But even when doing so, I would focus on the person's integrity. A member of my team would need to take a pledge that he/she would be steadfast in his/her call of duty and would not fall prey to the inducements offered by those who might not desire that a criminal should be brought to book and that justice should be served.

Dedication, efficiency, incorruptibility, integrity – I wanted it all. The task of putting together a team with officers who would be wholly

committed to the job at hand, and that too quickly, was going to prove to be daunting. But I was determined.

The key areas of investigation set down, I then made a list of the number of people I would require to perform specific tasks and duties. The following were the duties that needed to be attended to:

- Validating the allegations made by the victim by verifying the vict and her family's antecedents.

- Managing Asaram's followers who would pour into the city fron over India; interact and liaise with the godman's local supporte ensure that there was no miscommunication and they didn't turn hc because of that.

- Gathering information and collecting evidence against the accuse travelling to various parts of the country, if need be. This would inc an endeavour to examine if the accused was a habitual offender, to s there were similar complaints against him from others, and if there v pattern to the crimes alleged to have been committed by the accu This would require visiting the various ashrams that belonged to As and staying there for a length of time.

- Evaluating the forensic evidence collected.

I would also require someone to protect the SoC, since the delay in filing the FIR had already created a situation where there was a possibility that most of the crucial criminal evidence had been removed and tampered with, owing to the fact that the physical location was in control of Asaram's followers.

Another crucial role in this case would be that of the interrogator. What was needed was an ace interrogator who was well versed with the tenets of Indian law, and experienced in the techniques of interrogation. A policeman with sound knowledge of the law was also required to examine the evidence gathered by field units, in a logical and sequential manner. Besides this, a cyber surveillance team would also need to be set up.

Ultimately, in view of all of the above, there had to be a team that would be responsible for maintaining law and order in Jodhpur.

By my estimate, at least twenty people would be required to work

exclusively on this case until such time that we were able to present our charge sheet in court.

Choosing from among the available resources,
I decided to brief the commissioner regarding my concerns, and take his approval for specific requirements. First off, the core team that had four members: ACP Chanchal Mishra, Additional DCP Satish Chandra Jangir, Sub-Inspector Mukta Pareek and Sub-Inspector Madan Beniwal.

Encouraged by the commissioner's confidence in me, I had decided to appoint ACP Chanchal Mishra, RPS, as the investigating officer in the case. I had selected her knowing full well that this would be her first independent case. Although new to the service, ACP Chanchal had the sort of energy and dedication towards her work that were hard to miss. That was the kind of strength that would be required in this case. This being a case of alleged sexual assault on a minor girl, it needed, according to me, an officer who was not only senior in rank, but also one who possessed empathy and understanding to deal with an abused minor. A woman at the helm of affairs seemed to be the most suitable of choices. This made ACP Chanchal the best candidate for the task.

However, as mentioned before, she was new to the service, and thus unaware of the extraneous factors that could have influenced any investigation. Given that she was lacking in core policing experience, which could prove to be detrimental to a case that was as complex and sensitive as this, we empowered her with a team of experienced police personnel who would be at her side to assist her in the case, and brief her, if the need ever arose, from time to time.

Sub-Inspector Mukta Pareek, the SHO of the Women's Police Station (West), Jodhpur, was a veteran with over twenty years of policing experience, and had an exemplary track record that bespoke her integrity and professional competence. ACP Chanchal would have Sub-Inspector Mukta as her guide and adviser. As for me, I was happy that I had as part of my investigation team two of the best and most competent women police officers that one could have the good fortune to have. Mukta was also the one who had heard the first-hand account of the victim.

Additional DCP Satish Chandra Jangir, RPS, my second in command at Jodhpur, was to be another of the four in my core team of investigators. With more than thirty-two years in the service, he was the most experienced person in the team. Always with a smile on his face, ever ready to comply with the toughest of instructions, and never a man

to act in haste or be in a hurry to execute any operation, Additional DCP Satish was an asset to me as he was the perfect foil to my aggression and pace, which were also essential attributes to possess as a police officer. His assessment of extraneous factors and ability to remain calm in the most dire of circumstances were simply brilliant.

Sub-Inspector Madan Beniwal, SHO of the Soorsagar police station, who had been entrusted with sealing off and protecting the SoC, was going to be the fourth in the core team.

To not include the Commissioner of Police, Jodhpur, Mr Joseph, in the core investigation team was a deliberate move because I believe that if one is party to a cause, one cannot be a judge to settle issues, if any, between the parties in conflict. We needed him to be the neutral, final arbiter to bail us out in times of crisis of a different nature, if any arose. Since this was going to be a high-profile case, there were bound to be controversies and allegations against the police that may not be true, but would be enough to derail or delay the investigation; there would consequently be central and state government pressures, too. Pre-empting such possibilities, I requested Mr Joseph to recuse himself from the day-to-day functioning of the investigation. We needed him to watch our backs.

After my meeting with the commissioner, I called a meeting with the four other members of the team to suggest names of the potential candidates who met with all the criteria that I had set, to fill up the rest of the team.

The meeting lasted for close to an hour and at the end of the brainstorming session, I was quite satisfied with the team that we had been able to draw up.

Including the five of us, there were now twenty people in the core investigating team. I asked the chosen fifteen to report to office and meet me personally, so that I could brief them about what was expected from each one of them as part of the investigation team. The other reason that I wanted to meet each team member individually, before having a full team meeting, was that I was going to make each one of them responsible for the other team members' behaviour and actions during the course of the investigation. In other words, I wanted to tell them to keep an eye on each other and report to me the first signs of anyone being affected by or compromised due to political and departmental pressures, influences, threats or monetary offers. I figured that if the team members knew that others were watching them closely, they would

think twice before indulging in any activity that was detrimental to the investigation of the case. This exercise would eventually prove to be most beneficial.

The first person I met separately was my second-in-command, Additional DCP Satish Jangir. It was essential that he was made privy to every aspect of the case and the method I had devised to conduct the investigation, in case something was to happen to me or if I was away for investigation in another area.

'Satish ji, I want you to study the case files and the testimony of the victim carefully to understand the true nature of the case,' I said to him. 'This is going to be a high-profile case and we must not slip up on the investigation in any way. The media is already hounding us from morning till evening and we must be careful that the public opinion remains in our favour. I am putting you in charge of maintaining law and order in the city and would like to ensure that you are ready to take over the case if something happens to me. I also want you to advise me from time to time. I am quite aggressive by nature and need you to tell me frankly if you feel I am going too fast or being too aggressive,' I added.

'Yes, sir, I understand you completely. Nothing will happen to you. In case something does, you can rely on me to take forward your investigation competently. Thank you for the faith you have reposed in me,' he assured me.

Next, I met ACP Chanchal Mishra, who was going to be the investigating officer in the case, and this is what I told her.

'Chanchal, I want you to be empathetic and sensitive, as also diligent in conducting this investigation. I know this is your first big case, but this is also an opportunity for you to prove to your juniors as well as seniors that you are as good as, if not better than, the other police officers. You are an RPS officer and have been trained well on what investigating a high-profile case needs. I am putting Mukta with you for her experience in day-to-day policing and her valuable inputs, but if you ever feel that you need my guidance, please do not hesitate to talk to me.'

'Sir,' she replied, 'thank you for your confidence and trust in me. It's my pleasure to be chosen by you as the key investigator of the case. Every police officer dreams of being associated with a case that could be the case of a lifetime, and I am fortunate that you have provided me this opportunity at the very beginning of my career. I will ensure that you have no reason to complain or to doubt my abilities on the grounds that

this is my first big, independent investigation.' Chanchal had on a confident smile.

Sub-Inspector Mukta Pareek was called in next.

'Mukta, you are the one person who was with the victim while she was recounting her nightmare, and if you believe that rape has taken place, you must make sure that the accused is not allowed to get off scot-free. I am placing you with Chanchal, as her adviser, and I am sure that you both will make a great team. You may also be required to travel to other states to gather information. But don't worry. I have inducted your husband, Satyaprakash, into the team especially, so that he can accompany you on your tours,' I said, adding to that a 'best of luck', to encourage her.

She heard me 'loud and clear', Mukta said. 'And thank you for being considerate enough to induct my husband, too, into the team, for my safety. I am aware of your confidence in my work and I will put in my hundred per cent to ensure that you always feel that you took the right decision,' she said, a look of determination on her face.

I asked her to work on this case as if it was any other routine case, to avoid any unnecessary pressure.

'Keep on checking, debating, analysing and again counterchecking with the other members of the investigation team in order to sort out confusion, if any, over any piece of evidence recovered,' I advised her.

'Sure, sir,' she said with confidence and walked out of the office.

Sub-Inspector Madan Beniwal was to follow.

After expressing my happiness over the fact that he had already sealed off the SoC, I asked Madan to ensure that here on, nobody be allowed to enter the area without proper authorization from me. 'We may have already lost crucial incriminating evidence because of the delay in the registration of the FIR from the date of the incident, but I want you to ensure that no further trespassing is allowed. I want the SoC to be as is. I can't stress the importance of it enough. You already know that it will help us reconstruct what went on at the SoC on the date of the incident. In fact, since the SoC was disturbed and we only got evidence in bits and pieces, it will be a challenge to see how all of it can fit into the whole. We will need to go over the SoC many times to make sense of the evidence.' Aside from the responsibility of guarding the SoC, there was one other task for Madan. I asked him to ensure the safety and security of the Dewada family who owned the farmhouse, where the kutiya was located, and also try to find witnesses who could be relevant

to the investigation.

‘Sir, it will be done,’ Madan said in response. Then with a ‘Jai Hind’, he left the room.

After I had met the core team members, it was time to call in the other fifteen to be part of the investigating team and brief them. I called Inspector Rajveer Singh first. I had chosen Rajveer for his ability to gather intelligence from Asaram’s inner circle, his supporters living in Jodhpur, to thwart any attempt to disturb the peace in the city. He would also liaise with the local supporters of Asaram and keep them in confidence.

‘Rajveer, I am banking on you to maintain law and order in the city, given that thousands of Asaram’s followers are expected to reach Jodhpur in time. You will work in close coordination with Additional DCP Satish Jangir to ensure that no untoward incident takes place in the city, and also to see that life and property of the people of the state are protected. I also want you to interact with Asaram’s local supporters, so that they are in no way able to incite the hordes to take the law into their own hands. I have already spoken to the supporters to restrict the followers to the ashram outside the city limits and keep them under control, but you must ensure that they follow my directive.’ Further, I promised Rajveer additional manpower, if he thought he would need any, in order for him to establish complete control over law and order in the city. He need only ask me for it.

In return, Rajveer said that I could count on him. ‘I will handle the delicate situation to the best of my ability and shall give you no reason to complain’ was his promise to me.

Inspector Subhash Sharma, the SHO of the Shastri Nagar Police Station, was next. This officer had had a brush with Asaram previously. He had intercepted Asaram’s vehicle, and allowed it passage only after he had had the man remove the red beacon from atop his car. He had followed the law, without fear or favour. When I was choosing the team to nab the accused, this episode was instrumental in Subhash’s induction into the team.

‘I know you are a man of integrity and that you will never take a step back when it comes to upholding the law,’ I said to Subhash. ‘I am going to need you and your experience in various aspects of the investigation. So, gear up for a busy next few days. You have been in my team for long now and have handled many burning situations. This shall not be any different for you.’

In all sincerity, Subhash responded: ‘Lamba sir, I am always with you. You tell me what is needed to be done and it shall be done, sir. And thank you for your kind words.’

I decided to call in Mukta’s husband, Sub-Inspector Satyaprakash, next. As he came in and saluted, I smiled and requested him to take a seat.

As I had conveyed to his wife, Sub-Inspector Satyaprakash was expected to team up with Mukta in her travels to different locations, in the process of gathering evidence. This was also done keeping in mind the issue of Mukta’s safety. However, while this was going to be his key responsibility, he was also assigned the role of searching for both forensic and scientific evidence in the case. After all, he had been the winner of the Forensic Science Gold Medal at the All India Police Duty Meet for forensic science, which was held in 2012, in Bhopal.

This is what I said to Satyaprakash: ‘Satyaprakash, you are in this team because I see you as a sharp and intelligent individual. I want you to promise me that you will not fall prey to any kind of inducements, in the form of money or otherwise, while investigating this case. This is a high-profile case, and it is likely that most of you will be approached at some point, be offered bribes, or be threatened by those who do not want Asaram to be arrested or prosecuted for his alleged crime. This is the time that we will have to show the kind of human beings we are, what we are made of. The most important thing for me is integrity and honesty. I lead my life on these principles. Are you willing to do so, too? It is up to you to decide how you want to be remembered in the police force. The choice is yours. An underage girl says she has been raped by Asaram, and both your wife, Mukta, who took her testimony and registered the FIR, and I, in fact, believe that she is most likely telling the truth. Are you willing to help us see that the little girl gets justice?

‘Another reason for your being a part of this investigation team is that Mukta will need to travel to different places and other states to gather information about Asaram and also collect evidence. Since she’s a lady officer, I feel it may not be safe for her to be travelling to Asaram’s ashrams, etc. I want you to go with her. Working as a team will ensure her safety. Besides, in this way, we’ll have two competent officers concentrating on one job. Got it?’

Satyaprakash remained silent for a few seconds, as if absorbing everything that I had said. Then, he nodded and said, ‘Sir, I promise you that my integrity will never be brought into question.’

I continued: ‘The third reason for me to induct you in this team is your capability and your reputation as the best forensic expert in Jodhpur police. You have won the forensic gold medal at the national level, so you are an asset to the investigating team.’ Constable Sandeep Kumar was going to assist Satyaprakash in this part of his job, and so I informed him.

‘I will not let you down, sir,’ were Satyaprakash’s next words. A wide smile accompanied them.

To this I gave a thumbs up, and following a salute, he walked out of the room.

Undercover operations were also going to be key in this investigation. What I required was a small team that would keep a steady and constant eye on the activities of Asaram and the co-accused and, in order to achieve that, be disguised as the godman’s staunch supporters. Sub-Inspector Bhanwar Singh was deemed to be most suitable for being in charge of the team that would infiltrate the web of Asaram’s most trusted supporters in his ashram. When he entered the room, at first I briefed him about the case. Thereafter, this is what I said to him: ‘Bhanwar Singh, I am going to need you to take a small team to Indore to Asaram’s ashram there and serve a notice to him to appear for investigation here. If you see any resistance on the part of the accused or his followers, I want you to handle the situation deftly. You may have to improvise and devise a strategy for taking Asaram into custody. But before serving the notice, which the investigating officer will send to you, you, along with the other members in the team, will need to camp at the place where Asaram lives.’

‘Will be done, sir,’ he replied confidently.

Following Bhanwar Singh’s departure, Sub-Inspector Amit Sihag walked into the room. Amit was an ace interrogator. Most dreaded criminals in western Rajasthan were scared of him due to the interrogation techniques he employed, techniques that were extremely effective. Moreover, he was a great team-builder, and skilled at motivating the subordinate functionaries in the police.

This is what I had to say to him: ‘Amit, you know what your role in this investigation will be. Don’t let any of these guys think that they can hide any facts from you. I am giving you a free hand. I only want results.’ I also informed him that his team-building and motivational skills may come of use, if, during the course of the investigation, one felt that the stress was getting too much for someone. ‘You are well

connected with the police force, so include as many policemen as needed, to expand the team,' I added.

'Welcome, sir. Any time,' Amit said, adding in a positive and assuring tone, '*Jahan tak sach ka sawaal hai, toh woh toh inke baap dada bhi nahin chhupa paayenge humse.* You can fully rely on me, sir.' (And as far as the truth is concerned, even their ancestors will not be able to keep the truth from us.)

Then, it was time to meet the legal luminary of my team, Sub-Inspector Ramdev Singh, who held an LLB and LLM degree and had thirty-five years of experience as a police officer.

'Ramdev ji,' I said, 'you are the legal expert of our investigation team. So, I am putting you in charge of perusing and examining all the relevant evidence gathered by the field units in a logical and sequential manner, from a legal
point of view. It is a very important part of the investigation, since all this will help us in presenting a credible and prosecutable charge sheet in court. Moreover, you need to be in contact with the public prosecutors. Communicate with the team on a daily basis, so that evidence in the case can be examined right from day one of the investigation. Also, discuss with the defence lawyers well versed in criminal cases, to find any shortcomings there may be in the evidence collected.'

I impressed upon him that if ever his expertise was required the most, this was it.

'Absolutely, sir,' he said, 'I understand completely what you need from me. Rest assured; I will do as desired.'

Sub-Inspector Babusingh Rajpurohit was the next team member to enter the room. 'Babusingh,' I said to him, 'I am assigning to you the specific task of camping at Asaram's Ahmedabad ashram to gather as much evidence as possible regarding his character, and information about any similar escapades in the past. Be careful. The evidence that you collect will go a long way in our establishing the character of the alleged perpetrator.'

Doubtless comprehending the gravity of his role, Rajpurohit was quick to respond with a 'Will do as told, sir.'

Sub-Inspector Nitin Dave was next on my list.

Nitin was going to be my man on the move. 'You will have to travel and gather evidence from as far as Delhi, Shahjahanpur and Haridwar. Are you in the mood to flex your leg muscles?' I asked him jokingly.

'Yes, sir! I am raring to go,' the officer said, with a smile.

After that came Inspector Kamal Singh. He was tasked with ensuring that the location of the interrogation centre be kept a secret. Even the team members were to be made privy to it on a strictly need-to-know basis. Besides, since Kamal Singh was to be relatively free until the time the accused were arrested, I asked him to keep vigil on the rowdy elements in the city, so that any possibility of them going berserk and trying to use this case as a cover to further their nefarious activities could be successfully thwarted. Kamal was also asked to be in touch with Rajveer on a daily basis in order to maintain law and order in the city.

Additional Superintendent of Police (SP) Pahar Singh met me next and I discussed the case with him in minute detail. I impressed upon him how crucial his role in the investigation was to be, since he was going to be the officer in charge of establishing the veracity of all the allegations. 'You will do this by verifying the antecedents of the victim and her family. I want you to collect every detail about her life and her friends, as also the details of the victim's father's business, his personal life, and what kind of a reputation he has. You will also be required to collect all the information needed to determine the correct age of the victim. I can't tell you how important your responsibility is because this case hinges on the age factor. It is imperative for us to know her right age to be able to build our case around the sections of the law under which the accused will be arrested.'

Pahar Singh, who called me 'Ajay', asked me to leave this to him, adding, 'The job will be done.'

Sub-Inspector Pana Singh, who entered my office next, was assigned the responsibility of scrutinizing and establishing interconnections between the many pieces of evidence collected against the accused. 'We must know if all of the accused worked in a pre-planned manner and if their modus operandi was to lure girls for the gratification of Asaram's sexual pleasures. We have to see if there was a pattern to all this.'

Further, she was tasked with ensuring that the accused did not flee the country during the course of the investigation. 'Get the Lookout Circular (LOC) issued immediately by the Ministry of Home Affairs,' I said to Pana Singh.

In return, I was content to be assured that the officer would give it her best shot.

Our cyber expert, Head Constable Jamshed Khan, was called in next. He was to monitor the movements of the accused. He was also going to

be instrumental in linking the mobile forensics to establish the conspiracy allegedly hatched by those accused.

‘Jamshed, study the case carefully and monitor the movements of all the accused following the day on which the FIR was registered. Also, trace their movements prior to that. By monitoring their movements, we will be able to judge whether all of them were a part of a pre-planned conspiracy. You are an expert in this field and I expect the best from you. I am also attaching Constable Jitendra Singh and Constable Rakesh Kumar to assist you in cyber surveillance. If we need to arrest the accused as the case unfolds and we gather evidence against him, you must give me pinpoint locations of all the accused, so that our team is never in want of technical support to nab the criminals.’

Jamshed Khan, like all the other members, assured me of best results.

Constables Jitendra Singh and Rakesh Kumar were called in together next, and explained their job profiles in the investigation team.

‘I expect the best surveillance from you guys. Don’t let these people off your surveillance radar even for a second. Once we are able to get our eyes on them, we must watch them all the time,’ I told both the constables, who, in turn promised me that nothing would escape their trained eyes.

Constable Sandeep Kumar, who was going to be placed with Sub-Inspector Satyaprakash, was required for evaluating the forensic evidence collected. It was going to be a demanding job, but I was confident he could do it. He was also going to have to keep a record of all the forensic evidence since Satyaprakash would be on the move most of the time.

The meeting with Sandeep was the last in my list of individual, one-to-one talks with team members, by the end of which, I was quite satisfied that I had picked a dedicated and competent team. A group briefing, with all the members of the team, was to follow.

As I finished the briefings, I stopped for a while, and went into flashback mode. Throughout my career as a police officer, I had faced many a challenge. They had come unannounced and frequently. But never before had I felt so stressed with the workload and mental pressure as I did in that moment. Amidst these thoughts, all of a sudden, the victim’s face surfaced in my mind and I composed myself.

I called for a cup of tea and made notes on the important things that I had to speak to the team about. A long drawn-out meeting was not needed since their respective job profiles had already been explained to

each one of the future members of the team. This was going to be short, more of a pep talk, like captains or coaches of cricket or football teams are wont to give before an important match.

The tea helped refresh my mind. Clarity of mind was crucial with the kind of task I had on my hands. There was very little scope or time for error, because the attention of the whole media, the establishment and the people of India was going to be increasingly focussed on this case. I did not want the Jodhpur police to be perceived as incompetent or compromised at any point during the investigation.

The time for the group briefing had arrived. As the team gathered, I glanced at my notes once again and walked out to address them, together.

'We are privileged. Nature has given us an opportunity to give something back to the society that has hope in the law of the land. It is time to prove our mettle. But before moving further, read the story of the victim again and again, and never forget her devastated face until we finish working on this case. The victim and her family are placing all their hopes in us, as they do not have the sort of influence that the accused has. The poor girl doesn't have any expectations other than that of justice. Are you all with me?' I asked in a loud and commanding voice.

A resounding 'yes, sir' came in response.

I continued: 'There's a saying in English: "When the going gets tough, the tough get going." I want you all to remember this. As you all know, this is perhaps one of most high-profile and tough cases for the Jodhpur police, and the attention of the whole of India, the media, the establishment, and the politicians will be on us. Everybody is watching us closely. One misstep, one small mistake, and the media will start creating a negative public opinion about us. We have to avoid that. In fact, we have to build a positive public opinion about us. In this regard, I have already decided to hold daily press conferences to let the media and, through them, the country, know about the progress we are making in the case and also apprise them of the facts of the case. This will keep them from speculating and running a false narrative. If the media sees that the police is cooperating with them and considering them important enough to inform them of the day-to-day progress that we are making in the case, they may decide to back us rather than oppose us or question us about the pace of investigation.

'I don't want any one of you speaking out of turn about the case to

anybody besides the team members and that, too, only if it is necessary. One incorrect or half-baked piece of information can be twisted around by the forces that wish this investigation to fail. We can't afford to let that happen. Anybody who wants to clarify something can contact me on my official number or my personal mobile at any time of the day or night. I expect all of you to keep your mobile phones switched on at all times, so that you can be contacted at any time. This will also help during emergencies. And mind you, there will be many such situations during the course of this investigation.

'I want each one of you to keep me, Chanchal and Satish apprised of the developments with regard to your individual tasks at all times. I would expect Chanchal and Satish ji to also immediately convey to me any information that they receive, so that all of it can be analysed objectively and processed for further action. My office shall be the command centre for this investigation and every day I must see the progress we are making in the case.

'You all must have noticed how all the phones in my office, including my mobile phones, keep ringing all the time. Well, let me tell you something: all those phone calls are from all the people that I mentioned before. They want to know the details, the hows and whys of the investigation. There are also those who want me to go easy. Then, there are some who want me to ensure that the accused is not arrested. I am sure you all understand the implications of it all. I will handle these people, and the pressure that comes along with it. I will keep you all protected from these pressures, but in return, I want your full dedication and commitment to this case. We must proceed with complete honesty and integrity, and see to it that justice is delivered.

'We will need to be able to resist corrupt influences, be wary of and overcome threats to our lives. Most importantly, we will have to ensure the safety and security of the victim and her family, because forces which do not want the accused to be prosecuted, if found guilty, in this case, will try every method to derail this investigation.

'I must tell you at this point that a PIL [Public Interest Litigation] has already been filed by an advocate in the Jodhpur High Court for transferring the case to the CBI [Central Bureau of Investigation]. This was done on the day immediately following the one on which the FIR was registered. Do you want that to happen or do you want to show everybody that if CBI can do it, so can the Jodhpur police? The CBI, too, works as per the provisions of the Criminal Procedure Code and

other penal codes of the country. These are equally applicable to every investigating agency, including us. I see most of you nodding your heads. Well, if we have to prove that we are as good an investigation unit as the CBI, we have to give impartial, just and quick results. We have to be professional and efficient, since the image of the entire police department is at stake.

'Our work begins from this moment on. For some time, we may have to forget our family life and the number of hours we are putting in, but I can assure you that once we have successfully closed the investigation and have been able to collect evidence that can lead to the prosecution of the perpetrator, there will be no limit to the joy and the feeling of pride that all of us will experience.

'One more thing: I may tolerate a lot of things, but the one thing I won't tolerate is dishonesty. I wear this cap on my head with great pride as an upholder of the law and I want all of you to wear it as proudly. It is going to be a case of a lifetime for all of us. Once the case is successfully closed, i.e., the victim gets the justice she deserves, we, along with our families and our department, will feel proud for a long time to come.' That said, there was one last thing to add: 'Let everyone remember us as Jodhpur police's Tough Twenty. Jai Hind!'

FOUR

The Game of Many Manoeuvres

JODHPUR
23 August 2013–30 August 2013

The FIR now registered, I wanted to arrest Asaram and his co-conspirators immediately. I wanted to do so, so that we could interrogate them and get to the truth of the matter. By god, I did. But I also knew that I had to be careful and cautious every step of the way, if we wanted to convict the perpetrators.

The teams had already started on their individual tasks and some information about the crime had started pouring in, but at that point in time, it was not sufficient for me to move for an arrest warrant.

A most common mistake that police investigation teams can make is move for the arrest of the accused without sufficient and prosecutable evidence to file a charge sheet. Absence of solid evidence can lead the accused to move for bail and remain out of police custody to influence the investigation through political contacts, threats to the witnesses and other nefarious means. The accused can also destroy crucial incriminating evidence against him or herself.

There is also the risk of being overenthusiastic about proving that the accused is guilty. In the haste to put a criminal behind bars, there is a scenario where some evidence is submitted in court that cannot be proved and is invariably rejected in the court of law. I was aware of important cases where the police, despite being certain of the culpability of the accused, were unable to prove the same in a court of law, owing to their own hastiness, or even tardiness. I was sure I did not want that to happen to this investigation. The slightest mistake on our part, besides allowing the accused to walk scot-free, would also make the Jodhpur police a laughing stock in front of the entire nation. There had to be a strategy in place.

As if to prove my apprehensions right, a team of lawyers from Ahmedabad reached my office, asking to meet with me. They were representing Asaram. I knew exactly why they had arrived at my office. I delayed meeting them, on purpose, calling them in after about an hour or so. The team of four lawyers, all wearing black coats and carrying briefcases, trooped into my office looking visibly irritated at having been made to wait.

As they made their way towards me, I rose from my chair, smiled, shook hands with them. They introduced themselves one by one; I enjoyed the almost chastised look on their faces. Two of the four even looked nervous, stuttering while introducing themselves. Some of the wind seemed to have gone out of their puffed-up sails.

Anyway, once they took their seats, I said, 'Sorry to have kept you waiting, but there were some pressing matters at hand that needed to be dealt with immediately. Yes, gentlemen, tell me, how can I help you?"

Meanwhile, I offered them water, and also called for some tea. My visitors appeared slightly more relaxed than before. They even smiled a little.

One gentleman, who appeared to be the senior-most, spoke first. 'We have come to meet you in connection with the FIR that has been registered by your Women's Police Station. We are representing Asaram Bapu and would like to see a copy of the FIR so that appropriate legal action can be initiated from our side.'

I feigned a look of surprise and asked them, 'Why did you come all the way from Ahmedabad for just this? We would have informed you ourselves if there was any need for legal action from your end. Frankly, we haven't even started the investigation into the matter. At the moment, it is only a complaint that we have received from the victim. We are yet to examine and investigate the veracity of the allegations against Asaram Bapu. There is no need for you to be worried right now. You will be suitably informed in advance if we reach the point where we have no option but to move for Bapu's arrest.'

In response, the senior lawyer enquired: 'We wanted to know if there is any need for Bapu to appear before you or apply for anticipatory bail.' The look on his face seemed to indicate that he was expecting some response from me which could help him. The look he had on bore meaning. He was playing a game with me.

'Not at all,' I said, 'there is no need for Bapu to come down here. Like I said, at present the matter is only at a complaint stage. We are yet

to examine it and begin the investigation. Don't worry; if need be, we will send a team to meet Bapu and call him here. As of now, you can go back and tell Bapu not to worry unnecessarily. After all, the Jodhpur police will not arrest a man of his stature without necessary evidence supporting his complicity.' I was stating facts, in all honesty. I, too, was good at playing games.

Suitably relieved at hearing this from me, the lawyers sat around for a little while longer, finishing their tea. Then, they all got up to go and thanked me for my cooperation. The senior lawyer presented me his visiting card and told me to contact him if Bapu had cause to worry.

I smiled at him and shook hands with each of them, assuring them of cooperation from my side. The game had indeed begun.

As soon as they left, I picked up the phone and called Chanchal for a meeting. Upon her arrival, I apprised her of what had transpired vis-à-vis Asaram's legal team. I told her that for the time being we had been able to fool them, but they would soon realize, as we collect more evidence and through our daily press conferences, that Asaram's arrest was imminent.

I did not want Asaram to walk into my office asking to be arrested before I was ready to arrest him. My instruction to Chanchal, therefore, was devoid of any ambiguity: 'Communicate to all the teams that I want all the information and evidence as of yesterday.'

By that evening, information started streaming in, in bits and pieces.

Mukta Pareek and her husband, Satyaprakash, had successfully entered Asaram's Chhindwara ashram, incognito, and been able to mingle with the other followers of Asaram. They had been sent there to find out if the accused, Asaram, the hostel warden, Shilpi, and Prakash, Asaram's major domo and right- hand man, had been in communication with each other to hatch the conspiracy to offer the girl to the godman, what their modus operandi was, and to verify if this was a one-off case or if Asaram was a habitual offender. After staying there for a single day, they found out that a few other girls had left the gurukul in the middle of the academic session, and that, too, when the girls were preparing for their board examinations. When they tried to find out the girls' whereabouts, they discovered that these girls were from different states. When I tried, through my office, to verify the reasons behind their leaving the gurukul, through the police stations corresponding to the

states to which these girls belonged, it was revealed that the parents of these girls were unwilling to talk, or say anything about the gurukul and Asaram.

Once the purpose of the undercover operation was fulfilled, both Mukta and Satyaprakash reported at the local police station at Chhindwara to officially collect from the gurukul evidence related to the case. Documents establishing the ownership of the gurukul, which was in the name of a trust owned by Asaram, and those supporting that the victim was studying there, and that Shilpi and Sharad were the student's guardians at the ashram, were collected from the ashram. Aside from these, the attendance register of the class, and the visitors' register records, too, were added to the pile. Oral evidence from many witnesses at the ashram was also part of the evidence gathered.

Other teams that had been sent to Ahmedabad, Haridwar, Indore, Delhi and the victim's home town, Shahjahanpur, to collect evidence from those who had come into contact with both the accused and the victim, also started sending in their reports. We needed to gather statements of people who knew both the accused and the victim in order to establish the kind of character they possessed. This was also necessary to nullify the possibility that the victim had somehow blackmailed the accused.

All that was gathered was quickly handed over to the dedicated team of police officers for further analysis.

The team which had been sent to Indore, under the leadership of Bhanwar Singh, for assessing the ground conditions of the ashram, i.e., the location of the future arrest, stayed at the ashram disguised as faithful followers of the saint. They were there to anticipate the operational logistics likely to be involved in the potential arrest of the accused. After a week of observing the ground situation, the team finally approached the local police station to ask for their support to deliver the summons to the main accused. Following the delivery of the summons, which took place on 25 August, they left the ashram, but remained in the vicinity to keep an eye on the activities in and around the ashram.

At this point, it is pertinent for me to mention that I had received reports which said that when the victim and her parents had gone to Delhi to seek an audience with Asaram, it was upon the orders of the accused that the family had not been allowed to meet him. He was very much there at the time and could have, if he so wished, met the family to allay their concerns. The fact that he had chosen not to meet them, raised

doubts about his integrity.

On the other hand, I was also a little relieved that he had not met the family, because if he had, anything might have happened. He may have succeeded in convincing the family to not file a complaint or threatened them with dire consequences if they reported the matter to the police. Worse, he could have arranged to make the family disappear, as is what usually happens when the powerful are involved in a criminal case. In my years in the police, I have seen innumerable instances where the witnesses and complainants simply disappeared, or turned hostile during the course of a trial. Maybe it was divine providence that this family had been saved from a similar fate, that they had succeeded in lodging a police complaint and registering an FIR.

Reports also reached me that between the time that the FIR was registered in Delhi and the investigations began in Jodhpur, Asaram was roaming around the country, visiting his various ashrams, meeting his followers, and holding his religious discourses with complete impunity. His actions, rather his arrogance, drew clearly from (as we would find out later) his belief that nothing could ever happen to him because of his ‘good relations’ with people in power.

It was only after he came to be aware that a case had been registered against him under the POCSO Act, for which bail could not be sought, that he decided, upon the advice of his lawyers, to lie low in an effort to evade immediate arrest. I came to know about this from the accused, when, after his arrest, I asked him about this. But I was sure that, by now, his lawyers would have conveyed to him that they had met the DCP, Jodhpur police, and that he had convinced them not to move for a pre-arrest bail. These were still very early days in the investigation and the police had very little evidence on file to oppose his bail petition; and so, an anticipatory bail would not have been in our favour.

Frankly, based on the sections of the law under which the FIR had been registered, and the medical evidence and other information that I had received from my teams, I could have moved for his arrest immediately, which, in any case, I was going to do, but I wanted the game to continue for a bit longer. I wanted the accused to be taken in at a time that he least expected it and when I had enough ground evidence to charge-sheet him.

For now, like I had promised Asaram’s followers from the Jodhpur ashram, I sent police teams every day to keep them seemingly ‘abreast’ of our investigation. We assured them that the police were simply

pursuing an investigation as was our duty per law and did not mean any disrespect or harm to the Baba. As said before, it was imperative that they felt the police was with them to ensure that the city was safe from any kind of hooliganism.

Press conferences were a daily affair. The local and national media were being kept updated on the investigation in the case. The decision to hold daily press conferences proved to be a wise one. It kept the media at peace, content to know that all the information was being provided to them and that all their questions were going to be answered by no less than the DCP of the city. One of the most important things that the interactions helped achieve was that they kept the media from speculating and running stories that could have proved harmful to the investigation. In fact, as we disclosed the factual information and evidence that we were collecting in the case to the media, I could see a discernible change in their attitude. Instead of being sceptical and wary, suspecting, as they might have been, the possibility of the police being in cahoots with the accused in suppressing the investigation, or trying to present such evidence as would not stand in court, they were relieved, even happier, about the way the Jodhpur police was conducting an open and diligent investigation. In high-profile cases, good public opinion can add a bounce to the step of the policeman whereas negative publicity can wear him down, frustrating him. At the time when the infamous sandalwood smuggler, Veerappan, was killed by the Tamil Nadu police in an encounter, positive media interactions helped the police to tilt public opinion in its favour.

Another benefit of my interaction with the media on a daily basis was that it became easier to deflect their pointed questions by saying that not every piece of information could be revealed, since doing so could prove detrimental to the investigation. Besides, it may not be lawful to leak confidential details of an ongoing investigation to the media. When they pressed for minute details, I would sometimes say that such details were known only to the investigating officer. In this manner, our investigation team was kept completely insulated from the uncomfortable questions the media had, and we could concentrate on the investigation per se. This way, the accused could also be kept from knowing the investigators' every strategy.

The media interactions also helped to counter the narrative that the PRO of Asaram, Neelam Dubey, was trying to build. Every day, she would say something which the media would lap up, but the very next

day, when I would counter her assertions with the facts of the investigation, she would be forced to retract her statements. The interactions went on somewhat like a game of chess. To every move the PRO made against the Jodhpur police, the latter was able to respond with an undeniable fact. As would be clear from some of the following examples of the statements that were being made by both sides, it was a game the PRO was losing badly.

Jodhpur Police : We got a complaint against Asaram and have registered an FIR of sexual exploitation of a minor girl in Manai, Jodhpur on 15th August. Further details can be revealed only after the investigation.

PRO of Asaram, Smt. Neelam Dubey : Bapu was not in Jodhpur on 15 August.

The next day…

Jodhpur Police : We have enough evidence and have established that Asaram was here in Jodhpur at the Manai ashram on 15 August 2013.

PRO : Yes, Bapu was in Jodhpur, but never met the victim and her family.

The next day…

Jodhpur Police : The evidence collected so far proves that Asaram met the victim and her family.

PRO : Yes, Bapu met the victim, but in the presence of her family.

The next day…

Jodhpur Police : Asaram met the victim alone and that, too, late in the night.

PRO : Bapu met the girl alone, but the meeting was just like a meeting of a grandfather and granddaughter.

The next day…

Jodhpur Police : Accusations of sexual assault of a minor against Asaram are proved on the basis of evidence collected so far. If he has anything to prove his innocence, he shall present himself before the investigating officer with concrete evidence.

No statement made by the PRO.

Gradually, the facts revealed by the police made Asaram's public relations team defensive. On the other hand, the stand of the police was well substantiated and so began to be considered credible and correct.

As the crucial initial days passed, the outrage that the followers of Asaram and some political parties had displayed at the time of registering the FIR and the consequent and imminent arrest of the accused seemed to cool down to a great extent. There had been agitations and demonstrations in support of Asaram throughout the country. Large rallies were organized in his support in major cities of the country. In some, like Ahmedabad, Delhi, Jammu, Ujjain and Udaipur, violent protesters even caused damage to public property, including setting fire to government vehicles. Though many continued to protest, others realized that Asaram may not be as innocent as he had seemed. Following the revelation of the complaint made by the underage victim, the layers that had somehow concealed the true nature of the godman so far were coming off, a little at a time. This worked well for the investigating team. The pre-empting, planning and preparing were serving their purpose.

The teams were dedicatedly working towards accumulating evidence, analysing it, and working on discovering the interconnections. The information that was being gathered helped a picture to emerge that was slowly becoming clearer and unambiguous. It was a picture both shocking and depressing. No one, leave aside me, could have imagined the extent to which this well-known godman had stooped; his depravity was unthinkable, the self-indulgence disgusting. Coupled with his arrogance, his sense of entitlement and impunity, the picture looked rather murky.

The investigation revealed the character of the girl to be impeccable.

As for Asaram, it was discovered that he had some kind of sex addiction and demanded a new nubile girl every night. Some individuals associated with Asaram claimed that his entire ashram management, especially the matron of the Chhindwara ashram, Shilpi, and the godman's major domo, Prakash, were always on the lookout for underage and attractive girls, studying or staying at the ashram, who could be brainwashed into believing that the accused was a god incarnate and that they were his chosen ones. Then, over a period of time, these girls were made to feel inadequate or sick, and convinced that their cure lay with Baba Asaram. They were told that they must surrender to him totally if they wanted to be remedied of their ills. The young girls, usually from poor families, were either paid off later or threatened with dire consequences if they were to ever say a word about their molestation at the hands of the Baba. There were parental pressures, too. They were, therefore, not in favour of taking any legal action against the accused.

While Mukta and Satyaprakash had been successful in gathering information from inside the Chhindwara ashram about Asaram's sex addiction, the witnesses who had provided the information were not willing to come out into the open to depose for the case. So, they never ended up being part of the trial. Once the oral evidence had been gathered, though, Mukta and Satyaprakash felt that the godman's followers had somehow now started suspecting the couple as they were asking too many questions about the Baba. So, I ordered that the officers be pulled out of the ashram immediately, since I suspected that their lives might be in danger. This would turn out to be a good decision anyway because Mukta and Satyaprakash were to prove very important for the team that was sent later to arrest Asaram.

The prima facie evidence that led to Asaram Bapu's arrest were:

- The victim's tenth-standard school board certificate that proved her t
  a minor; and the certificate of admission to her primary school fu
  corroborating the point.

- An accurate description of the SoC provided by the victim, who c
  have done so only if she had been at the location for a reasonable pe
  of time. The fact that she was there at all is also borne by the condi
  which forbid the entry of any other person, other than Asaram and
  co-accused, into the SoC.

- The victim's medical report, which proved that she had been subje to sexual assault.

- The fact that both Asaram and the victim were present at the SoC i absence of any other individual, creating an opportunity for Asara sexually assault the victim, which is borne by her medical report an apt description of the SoC.

- Under the POCSO Act, the victim's statement was to be accepte truth until proven otherwise.

- Evidence proving Asaram to be the trustee of the property where SoC was located. This farmhouse, where the so-called kutiya was, one of the properties belonging to the Sant Sri Asaram Bapu Tru Ahmedabad. The Chhindwara Ashram, too, belonged to the same tru

- Mobile forensic records supporting the conspiracy between the accused and co-accused. Examining the call records also he corroborate the version of events narrated by the victim from the da was made to believe she was under the influence of evil powers t day she was subjected to the assault.

Besides, there was background information on Asaram being involved in offences using a similar modus operandi. We had enough to move for his immediate arrest.

My revealing the evidence we had gathered against the accused, since the time of the registration of the FIR, to the press, and through them to the larger public, was with the intention that the accused be given an opportunity to join the ongoing investigation to put forward his side of the story. It was only fair. But to give the Baba a chance to appear for investigation and explain his defence, if any, we had to serve him a notice to summon him to Jodhpur. Hence, I sent a team with Sub-Inspector Bhanwar Singh to the ashram in Indore, to serve him the notice to come to Jodhpur to participate in the ongoing investigation. But it was easier said than done. I had been receiving reports of an unusually high movement of Asaram's followers there. They were gathering in large numbers at the ashram to resist any attempt by the

police to forcibly arrest their spiritual leader. I was also told that the cadres of the political party in power in Madhya Pradesh at that time, led by their state president, a member of the Legislative Assembly (MLA), was taking out processions to protest the ostensibly ‘false’ complaint that had been filed by the victim at the behest of certain ‘vested interests’ who wanted the godman discredited and arrested for a crime that he had not committed.

The police team at Indore hadn’t anticipated that a mere serving of summons would witness such disapproval. I was quick to realize that the godman’s arrest, if and when it happened, would be a job fraught with difficulties. But we couldn’t stop. When the team reached the premises to hand him the summons on 25 August, initially, the guards at the ashram’s main gate wouldn’t allow it to enter the place. The guards even informed Asaram’s followers inside, who in turn assembled at the gate. The number kept on increasing and in just about two hours, the situation was almost spinning out of control. They started shouting slogans and threatened our team with serious consequences if it tried to enter the premises. The team didn’t give up, though. Finally, after eight long hours of trying to persuade the men at the gate, it was able to serve Asaram the notice. The godman was present in the ashram at the time. He was asked to travel to Jodhpur, to allow the police to question him. The godman promised that he would reach Jodhpur latest by 29 August.

The said date arrived. The summons was, however, completely disregarded, and the promise remained unfulfilled.

Thereafter, I formed a separate team and placed it at the Indore ashram to assist the existing team, with Sub-Inspector Bhanwar Singh at the helm, in monitoring the Baba’s movements. To arrest him, I would need a dedicated team of officers who had not only the legal authority but the required competence to arrest him from his own den, amidst resistance. I discussed the plan with the Commissioner, Mr Joseph, and thankfully, he gave me the go-ahead. He advised me to have a team of officers with a mix of experience and enthusiasm. I also took his permission to enlist expert commandos to assist the team officers.

The plan? I would stay back in Jodhpur to manage and coordinate the entire operation, and a special team comprising my most trusted officers – Satish Chandra Jangir, Chanchal Mishra, Subhash Sharma, Satyaprakash and Mukta Pareek – would be sent to Indore to arrest Asaram. A dedicated squad of ten commandos – with sophisticated weapons – from the quick-response teams of the city, was attached to

this team. As we assembled in the front lawn of my house after I had communicated to the officers the modus operandi for executing the arrest, I saw how eager the eagles were on the mission, their faces shining with excitement.

'The Indore police has already been briefed at the very senior level, so they will be there to assist you with the arrest,' I said. 'At this stage, I will only say that in Indore, you need not feel as if you are in a different city. Just think that you are in your own city and work as if you are doing your duty in an area within your own jurisdiction. You all have worked hard and now, it is time to arrest Asaram. I will keep updating you about the exact location of his hideout. Move ahead in your journey of justice. I wish you all good luck.'

The officers departed. After they had left, I continued with my briefings to my seniors at the police headquarters. I conveyed the details of the team to the Inspector General of Police, Indore. He assured me full cooperation. We were all set.

But the Baba had vanished.

None of the teams, spread across the country, could confirm his exact location. He was absconding; he could have been considered a fugitive. It was evident that he was on the move, never in one location for a length of time. This was a source of great worry for me, since it meant that he was outside the purview of technical surveillance. Physical surveillance was also proving unsuccessful because the plain-clothes policemen who had been positioned outside the Baba's ashrams were not being allowed access inside by the saint's followers and security personnel. They had turned suspicious, sensing that the police were at the godman's heels. It was time for a rethink. Another manoeuvre had to be planned and exercised to nab the proverbial old fox.

During our press conferences and our daily interactions with Asaram's followers, we had maintained that the Jodhpur police was not yet moving for an arrest, as information was still being examined, and evidence still being gathered. We had announced previously that we were giving the accused time until 29 August to join the investigation. This had made Asaram's lawyers believe that his arrest was not imminent; consequently, they would have advised him to keep calm and remain wherever he was hiding. However, while I was saying that we did not have sufficient evidence for the Baba's arrest, I had, contrarily,

procured a Lookout Circular [LOC]: an advisory for the airports to keep an eye out to ensure that an accused doesn't flee the country. This implied that we were, in fact, planning to arrest him. This had the Baba's legal team in a state of confusion. Their dilemma was my doing. I had surreptitiously leaked the information to the supporters of Asaram in Jodhpur who were in touch with me since the registration of the FIR, and they in turn leaked it to Asaram's legal team. It was a part of a plan that could help to flush the Baba out from wherever he was hiding. I strongly believe that the legal team fell for the ruse and recommended to the Baba that he move somewhere safe and secure, as it was evident, on the basis of the LOC, that the police had decided to arrest him.

It was then that I decided to call another press conference.

When the news broke out that the DCP, Jodhpur, had called an immediate press conference, there was a big flutter in the media as well as the public. They were expecting some kind of 'Breaking News' from the police. I was glad for this kind of curiosity; it was important for the plan I had in mind. I was sure that news of this press conference, and what was going to be announced in it, would eventually reach the ears of Asaram as well as those of his legal advisers. In fact, I was counting on that.

It was 30 August. When I reached the conference area at around 5 p.m., there was commotion in the room. Journalists and mediapersons were literally jumping over each other to get close to the place where we sat, eager to know what I had to tell them. It took a lot of time and a huge amount of patience to establish some semblance of order and for me to begin addressing the media.

When, at last, there was order, I began by saying: 'My friends from the press, you would remember that I had promised you that the Jodhpur police would conduct an open and honest investigation into the Baba Asaram case, and would keep all of you updated with the progress of the investigation and the date when we would move to arrest the accused. Till now, I hope, I have not given you any reason to complain. Even now, when we are at a stage where we are ready to arrest the Baba, I have called this press conference especially to inform you of the findings in the case.'

No sooner had I finished my opening remark than there was an uproar. Some applauded, others shot questions at me from all directions. Amidst all the noise, I could not comprehend even a single question that was being fired at me, but I knew what their main concern was: when

was the Jodhpur police going to arrest the accused?

I continued: ‘I understand you’re eager to know the fate of Asaram Bapu in this case, but kindly allow me time to complete my briefing. Once I have finished my briefing, I will take questions, if any, from all of you.’ My tone was authoritative. I wanted complete silence in the room, before I said what I had to say. I knew the accused was watching, and I wanted each word of what I said at the press conference to reach his ears and to be understood clearly by him.

‘We are moving for the arrest of Baba Asaram as he has failed to honour his commitment of joining the investigation,’ I told the assembled mediapersons.

The pandemonium resumed. Questions began to be thrown at me from different corners of the room. When will you arrest him? From where will you arrest him? Tell us … where … when…?

Yet again, I called for order in the room. Then, with a poker face, I said that a police team had already been dispatched to take the Baba into custody.

Clearly, I was calling a bluff hoping it would draw him out of hiding.

To the questions of ‘where’ and ‘when’ about the arrest, I said: ‘I am sorry those details cannot be disclosed at the moment, but we know where he is and the team will be reaching there to arrest him soon. The details of his arrest shall be made available to you at an opportune time. Till then, bear with the Jodhpur police.’ That said, I rose from my seat to leave.

As I walked out of the room, there were microphones and cameras being pushed at my face for any other bite that I might have to offer. But I had said what I wanted to say. I had played my hand. Now, it was time to wait for the other player to show his cards.

It was 6.30 p.m. that same evening when I received a call from the Additional SP, Central Industrial Security Force (CISF), in charge of security at the Bhopal airport. He was my friend, as we both had attended a course at the CBI Academy at Ghaziabad some time back.

‘Hi, Ajay, how are you?’ he said. ‘I saw your press conference in the evening where you said you were moving in to arrest Asaram. If that is so, then tell me, what is the Baba doing here at my airport?’

My surprise at the information was immediately followed by satisfaction. I had played my cards right, and well. However, I showed

neither of the two emotions. Instead, I asked if it would be possible for him to hold the accused down at the airport till such time that the team that I had sent to Indore for his arrest could reach the Bhopal airport and take him into custody.

'I wish I could do that, Ajay. But there is no provision under law that can empower me to hold him without any warrant,' I was told.

My request had provoked a defensive response, or so it seemed. I did not lose my patience though. 'I understand,' I said. 'Even the Bhopal police would not arrest him because this case is not under their jurisdiction. You know, I just need enough time for my team at Indore to reach Bhopal… Can you keep him busy for at least around half an hour or forty-five minutes?' I asked.

'Okay, I'll try but can't promise. If he decides to walk away, I'll have no reason to hold him here,' he replied.

'I understand. Tell him that the police is coming to arrest him, but don't tell him this before I give you the go-ahead. Just keep him engaged in conversation and delay him for some time…'

I thanked him for the information and his support, and then, having ended the call, it was time for some quick thinking. I decided to apprise the media of this information.

The moment the media caught hold of the Baba's whereabouts, the fire was lit. All major and minor news channels and newspapers sent their reporters to the Bhopal airport at the double and soon, visuals of Baba Asaram being chased and hounded by the media could be seen on television screens across the country. The accused Baba kept running from one end of the airport to the other, in an effort to push aside the cameras and microphones being shoved into his face.

Though I could not rush my team from Indore to Bhopal in time to arrest him there itself, I was happy that my plan to flush the godman out of his hole had succeeded. Asaram Bapu had lost his nerve.

As the godman fled from the Bhopal airport in utter panic after being told that he could be arrested any moment by the Additional SP, CISF, he made a beeline for the safer confines of his ashram in Indore, the media contingent in hot pursuit. It was exactly what I had wanted. With the media following the man and recording every movement of his from Bhopal airport onwards, I did not need any kind of surveillance to be put on him from our end.

The man was running scared and heading straight towards the net that we had laid out for him with care.

It would only be a matter of time before he was in our custody.

FIVE

No Exit

INDORE
31 August 2013

The police team in plain clothes, posing as Asaram's followers, had already been stationed inside the Indore ashram for some time. Now, upon knowing that the accused was heading towards his Indore ashram, I knew exactly what had to be done.

The other team that had been put together under Additional DCP Satish Chandra Jangir especially to arrest the Baba, reached the Indore ashram and informed me that the Baba, his son, Narayan Sai, and his daughter were all present inside the ashram, as were hundreds of Asaram's followers. I immediately knew that the arrest would not be a simple one, as the Baba, his family, and his followers would employ every means and method to obstruct the process of law.

What I heard next from my team after some time made me really angry. The man, obviously feeling safe inside his own ashram and in the midst of his diehard followers, was showing no respect for the law, or for the officers of the law, pretending that he was unaware of the police team's presence. Rather, so smug was he, perhaps owing to the knowledge that his friends in high places and in the world of politics would never allow the police team from Jodhpur to arrest him from his own ashram, he even decided to hold a sermon for his followers as if to taunt the police and cock a snook at the system.

'Sir, *yeh toh Raas Leela rach raha hai idhar* . [Sir, he is enacting Lord Krishna's dance of love.] He is even dressed like Lord Krishna and has bedecked himself with flower garlands. He is singing and dancing with the congregation of his followers and doesn't seem to be bothered about the fact that a police party is waiting here at his ashram to arrest him,' one officer told me over the phone.

Further, I was told that the Baba was even giving interviews to news channels, telling them that nothing will happen to him, that the police will not arrest him. ‘He is almost laughing aloud when he is saying this, sir,’ said the officer.

I asked Satish to hold the fort, to dissociate himself from other team members in front of Asaram and behave as if he, too, was Bapu’s devotee. I asked him to buy time by convincing the accused and his family to cooperate in the investigation, until we were certain that we could pick him up successfully or till such time that he agreed to follow our directions. I told Satish that I was trying to involve the Indore police in our mission, too.

Thereafter, I requested the Indore police that they deploy their force around Asaram’s ashram to ward off any untoward incident and lawlessness by the godman’s supporters when they would come to know that their guru was going to be arrested by our team. Committed as they were to maintain law and order in the city, as also to provide protection to our arrest team, the senior officer to whom I spoke for support said that their role would be limited to only outside the ashram. ‘The actual arrest of the Baba would have to be handled by you and your team,’ he added.

‘Yes, of course,’ I replied. ‘We will take care of the arrest of the accused. What we need assistance with is the security around the ashram and of the police team. We might also need your help after we arrest the accused and are taking him with us, because that is the time the tempers of Asaram’s followers would be at their height.’

They agreed to assist us in the matter.

After I spoke to the Indore police, our team asked one of the ashram’s functionaries to inform Asaram that the Jodhpur police had come to meet him regarding an FIR that had been filed against him.

The man, who seemed to have been almost waiting for the arrival of the Jodhpur police, went inside hurriedly, ostensibly to communicate what he had been asked to convey to the Baba, while the arrest team waited in the ashram’s reception area. He returned in five minutes and said that Asaram Bapu would meet the team shortly in his living room. The police team waited for about five minutes, when another of the

Baba's sevadars, i.e., attendants, emerged from inside and escorted the team to meet him. This team was accompanied by the best of commandos from the Jodhpur police, to act swiftly when needed. Satish strategically placed these commandos at the corridor before entering the plush living area, where the so-called saint now sat on a large throne-like sofa, surrounded by his son and daughter, and some followers. He seemed calm, rather secure.

'Namaskar, Bapu,' Satish said, joining his hands.

'Namaskar … namaskar… *aao* ,' he replied with a smile, one that did not reach his eyes.

'*Bolo, kyun aaye ho?'* The fact that he was even asking the Jodhpur police team why they had come was audacious.

'Baba, *aapke* against *ek nabaalig ladki ne* rape *ki* report *darj karwayi hai. Hum usiko* investigate *kar rahein hain, bas* ,' Chanchal replied with a straight face. (Baba, a minor girl has filed a report of rape against you. We are only investigating the complaint. That's all.)

Asaram didn't say a word initially, but his eyes were shimmering. The light in his eyes at the mention of the report bespoke a sudden recognition that a crime had indeed been committed.

'*Arre, tum logon ne kyun ek baba ko badnaam karne ka theka le liya hai ek nabaalig aur bewakoof ladki ke kahne pe? Main yeh sab kuch bahut dino se sun raha hoon aur TV pe dekh bhi raha hoon. Jo jiske mann mein aa raha hai woh kuch bhi bole ja raha hai mere baare mein. Tumko pata hai main kaun hoon? Tumko pata hai ki is desh mein mere kitne bhakt hain? Tumhe pata hai ki kitne raajneeti ke logon ke sar pe mera haath hai? Kya tum jaante ho ki meri umar kya hai? Tum logon ki himmat kaise hoti hai ki mere hi ashram mein ghus ke mujhse yeh sab bewakoofi ki baat karne ki? Batao? '* (Why are you people out to ruin the name of a saint at the insinuation of an immature and foolish girl? I have been hearing and watching all of this on TV for a long time, too. People are saying whatever they feel like about me. Do you know who I am? Do you know how many followers I have in this country? Do you know how many people in politics have my blessings? Do you know how old I am? How dare you people enter my ashram and question me about all this nonsense? Tell me?)

Chanchal now took command, while Satish played the role of a mediator. She let his tirade end before speaking. Although raging inside at this vain man's sense of entitlement and his arrogance, knowing full well that he had sexually assaulted an underage girl, Chanchal was

careful to not let her personal dislike for the man – owing to what she knew he had done, the crime he had committed – show on her face or in her behaviour with him. She was a police officer leading an investigation as chief investigator and her duty was to conduct a diligent investigation and to collect evidence to ensure that the ones responsible did not go unpunished. She would have to be objective in the way she treated the information she had in hand, and follow the law. Her personal likes and dislikes would have to be kept out of the equation.

When she finally spoke, ACP Chanchal's tone was gentle.

'*Bapu, hum sab toh sirf apna kaam kar rahein hain. Aap ke against* complaint *jo hui hai usko humko* investigate *toh karna hi padega. Aur kyunki yeh* complaint *ki* FIR *jin* sections *mein darj hui woh* non-bailable *hai, humko aapko* arrest *karke nyayayik hiraasat mein bhejna padega apni* report *ke saath. Main aapse* request *karoongi ki aap apna sahyog dein humko jisse ki hum aap ke* side *ki* story *ki bhi jaanch kar sake aur agar aapki baat sahi hoti hai toh aapko adalat zaroor bari kar degi. Humare saath* cooperate *kijiye*, please. ' (Bapu, we are just doing our duty. We have to investigate the complaint that has been filed against you. And because this FIR has been registered under non-bailable sections of the law, we will have to arrest you and send you to judicial custody with our report in the investigation. I request you to kindly cooperate with us, so that we could also investigate your side of the story and if your account of the happenings is true, then the court will certainly acquit you. Kindly cooperate with us, please.)

Asaram heard her out, while continuously shaking his head and looking at Narayan Sai. ACP Chanchal wondered if there was a telepathic connection between the two, because when she glanced at his son, she found him shaking his head in a similar manner. Satyaprakash, who was standing near the corridor, was also keenly observing both son and father with a curious look on his face.

'*Main bol raha hoon ki yeh jhooti* complaint *hai. Yeh ek rajneetik saazish hai mere virudh. Jab maine kuch bhi nahin kiya hai toh* arrest *kis baat ki? '* he blurted out, a little less confident this time. (I am telling you that this is a false complaint. This is a political conspiracy against me. When I have not done anything, where is the question of my arrest?)

'*Baba, main iske baare mein kuch bhi nahin bol sakti. Woh sab* court decide *karegi ki kaun sach bol raha hai aur kaun jhoot bol raha hai,*' she replied. (Baba, I can't comment on anything. Who is telling the truth and who is telling lies shall be determined by the court.)

Asaram did not respond, but looked at Chanchal with eyes full of contempt and intense dislike.

In that moment, Satish intervened, signalling Chanchal to hand over the command of the situation to him and Satyaprakash.

Satish said to Asaram, '*Nahin Bapu, aap shreshth hain, aap humare liye* respectable *hain. Hum aapki izzat aur haisiyat se bhi waqif hain.*' (No Bapu, you are a noble man. You are held in high regard by us. We are also aware of your status and prestige.)

He took this opportunity to hint that Chanchal step out of the room and go into the corridor, which was chock-a-block with the inmates of the ashram, including our advance party – comprising Mukta Pareek and her husband, Satyaprakash – who were posing as Asaram's followers. They had gathered there to discuss the process of arrest of the accused with the remaining team members.

In the meantime, our team engaged Asaram and his companions in the living area in a negotiation of sorts. Satish came across as a staunch supporter of Asaram. He kept praising Asaram, his mystical powers, and tried to convince the Baba that he himself did not believe in the version of events provided by the victim, but since Asaram's version of the story was not available with the investigating officer, he ought to be present himself for questioning right now. Satish told Asaram that if she decided that his arrest was not required, the police team would go back. And this trump card played by Satish, earned them the advantage of Asaram agreeing to be interrogated.

Since a quiet environment was needed for the interrogation to take place, Asaram sent all his supporters out of the room. His son and daughter, however, remained.

While in Asaram's living room, Satish telephoned me and said, 'Sir, Bapu is a very gentle and kind person. He has agreed to be questioned by the investigating officer right now. I'll inform you of the progress soon.'

I was satisfied that everything was going according to plan.

Satish called Chanchal inside and asked her to begin the interrogation.

While she began questioning Asaram about his period of stay in Jodhpur at the time of the alleged incident normally, Chanchal confronted Asaram with a few minor details about the incident that only Asaram and the victim could have known. Shocked at the details Chanchal revealed, Asaram remained silent for a few minutes.

Meanwhile, the co-investigators, excluding Satish, kept posing questions to Asaram. Asaram was asked to explain the methods he intended to employ to cure the victim's ailment. He was asked about how he came to know that the girl was under the influence of evil powers and why he needed the girl to be present in private, that too, during the night, to perform the rituals to cure her. He was asked about the ritual or rituals which were performed, if it was simply the recitation of Mahamrityunjaya jaap and why it was performed in his kutiya to which no one else was allowed any access. Had he performed any such ritual on anyone else too? Who brought the girl into the premises of the kutiya? Where was his cook and personal staff when the girl was performing the ritual? Why was the girl called inside the bedroom when she was meditating? How long was she inside? Asaram was being evasive, hardly answering any of the questions he was being asked, and vacillated between looking furious at times and acting funny at others. He spoke little and we had to record that he was silent for the most part of this interrogation.

Chanchal made an interrogation note while the godman was being interrogated by the team members. Soon, Asaram realized that the police knew everything about his misdeeds from that fateful night, and perhaps because of that, he asked for some time off, for relaxation. It was then that Chanchal showed Asaram the LOC, and told him that he was not to leave the country. He was made to believe that the LOC had been issued after due diligence and judicial scrutiny. As Asaram was, by then, relatively more confident in dealing with Satish, he asked Chanchal to call him.

It was then that Satish, very smartly, offered him a face-saving and dignified exit. Asaram was told that he was going to be arrested sooner or later, and if he created a ruckus during that process, even his son and daughter would be arrested by the local police for disrupting police duty. He was assured that he would be ushered out of the ashram like a guest and taken to Jodhpur by air, not by road, as was ordinarily the case. He was assured that he would then be housed in a police guest house while in custody, and that he could engage the best lawyers possible, who would easily be able to bail him out because the case against him was rather weak.

Surprisingly, the inducement seemed to work in our favour, for upon hearing this, Asaram called in his team of lawyers, who were already present at the ashram, to discuss the plan with them. Thereafter, he sent

the lawyers out of the room and called our team inside to tell them that he was ready to go with them to Jodhpur for being interrogated, but on the condition that the followers in the ashram didn't come to know any of this. The team readily agreed and asked him to send his followers farther away from the immediate vicinity of the room and tell them that the police was not going to pick him up. They wanted a safe distance between the accused and his followers. By this time, Asaram was absolutely certain that Satish had become his faithful disciple.

Meanwhile, Satish called me to say that they had convinced Asaram to come with them and they would leave for the airport at four in the morning. The Baba had been recommended rest until then.

While Satish was briefing me about the progress that had been made thus far, and the understanding that he had developed between him and Asaram, investigators continued to put forward to Asaram uncomfortable questions related to the crime. Uncooperative, he frequently changed his position. At times, he even strayed from his promise of going with the team to Jodhpur in the morning. The exchanges between the officers and the godman were at times calm, and at others, heated. While Mukta, Satyaprakash and Subhash fired questions at him, Chanchal was recording the verbal exchanges.

Suddenly, after about half an hour or so, Asaram, his two children and two of his attendants, followed by Chanchal and Mukta, walked out of the room and into the corridor where all the commandos were standing.

This time, it was Subhash who called me. 'Sir, he is being very smug about the whole thing and not answering our questions properly. We tried to cajole him, request him, but he refuses to budge. When we tried to threaten him with immediate arrest, he just got up and walked out of the room. Though he promises to cooperate and come with us, I doubt his intentions, as he is changing his stand frequently and is quite agitated. But we are trying our best.'

By now, Asaram was surrounded by his followers, who were shouting slogans against the police team, which could be heard clearly over the phone. I asked Subhash to deal with the situation. I knew he would do it ably.

He, then, directly faced Asaram and said to him in a firm tone, '*Baba, humne aapse namrata se* request *ki thi ke aap humare saath* cooperate *karein, magar aapne aisa kuch bhi nahin kiya. Agar aap aisa hi bartaav karenge toh main aapko isi waqt* arrest *karne ka aadesh deta*

hoon aur aapko Jodhpur le jaane ka prabandh bhi karta hoon .' (Baba, we had politely requested you to cooperate with us but you did not. If you continue to behave like this with us, I am going to give the order to arrest you this very moment and also make arrangements for transporting you to Jodhpur.)

When Asaram heard the tone of Subhash's voice, he realized that this team meant business. For a moment, everyone could see a hint of fear in his eyes.

'*Tum aisa nahin kar sakte. Tum ko abhi upar se* orders *aajayenge ki mujhko* arrest *nahin kar sakte* ,' he tried bluffing Subhash. (You can do nothing of the sort. You will soon receive orders from your superiors that you cannot
arrest me.)

In response, Subhash took out his mobile phone from his trouser pocket and switched it off in front of Asaram. He also gestured to the other team members and the commandos to do the same.

When Asaram saw him switch off his phone, telling his team to do the same, he panicked. He began to look for Satish, whom he believed to be his faithful follower. Seeing Satish, he asked him to come close and whispered into his ear to calm his men down. Satish told him that Subhash was now in command of the team and the situation.

When Asaram heard this, he was back to being his unruffled self and said, '*Theek hai, theek hai, main chalunga tumhare saath Jodhpur, magar abhi raat ke barah baj chuke hain. Main tumhare saath kal savere chal lunga.* ' (All right, all right, I will accompany you to Jodhpur, but it is twelve in the night right now. I will leave with you tomorrow morning.)

Satish knew that it was indeed very late in the night, which could lead to an operational hazard if they insisted on Asaram's immediate arrest and transportation. But before he could respond to him, Asaram started speaking to his son in Sindhi, his native language.

After he had said what he wanted to say to Narayan Sai, he looked at Satish and told him in a dismissive tone, '*Theek hai, phir kal subah nikalte hain* .' (All right, then we leave tomorrow morning.)

I got another call on my mobile. It was Satyaprakash. This was his first call to me since the inception of this operation and I was surprised that he was calling me instead of Chanchal, Subhash or Satish. When I answered his call, he said, 'Sir, Jai Hind. Asaram is trying to deceive us! Sir, the man has asked his son to collect more of his supporters during

the night and block his departure in the morning!'

Shocked as I was to hear this, I was also glad that Satyaprakash understood Sindhi. We had some advantage. And there was no time to waste. I asked Satyaprakash to tell everyone to behave as if they all believed the Baba. And then, I asked him to tell Satish to request Asaram to send his followers out and ask them to remain outside the main gate.

'Once he has done so, some of you sit in the room with Asaram, and others, in the corridor outside. Wait for my instructions.'

Next, I called the Indore police requesting that they arrange for the exit of my team along with Asaram. Indore police acted promptly. They started increasing the deployment at the front end of the ashram. Riot control equipment, along with water cannons and tear-gas trucks, were stationed. The supporters of Asaram already present in front of the ashram, and those that were gathering there, observed everything that went on with eager attention.

In the meantime, the Indore police arranged for a bulldozer to demolish the rear wall of the ashram and informed me that they were doing that to make way for my team's exit from the rear gate. To confuse Asaram's supporters and to make them believe that the front gate would be the one used for the police's departure, a heavy police deployment was done at the front gate, while the Indore police purposely deployed a scant police force at the rear gate. The exit plan was to be kept a secret, and rightly so.

Then, upon my request, they also sent one of their officers to meet Satish inside.

At this point, I called up Satish and conveyed to him the exit plan. He was to get the team and the commandos ready, and as soon as he was apprised of the route by the officer from the Indore police who had been sent to meet him, he should simply escort Asaram, load him into their vehicle and make a quick getaway to the airport.

There would be no waiting until morning. Asaram Bapu was going to be taken into police custody right away.

Having comprehended and secured the exit plan with the officer from the Indore police, Satish called out to Asaram aloud, in an authoritative

tone.

‘*Baba, kal subah nahin. Hum aapko isi waqt hi* arrest *kar rahein hain aur abhi hi apne saath Jodhpur le ja rahein hain. Subah tak toh bahut der ho jaayegi. ’* (Baba, not tomorrow morning, we are arresting you right this minute, and taking you back with us to Jodhpur too, right now. Tomorrow morning might be too late.)

That said, he gave orders to arrest Asaram at once.

‘Arre … arre … *yeh kya kar rahe ho? Narayan, inko roko. Bhakton, dekho yeh tumhare Baba ko pakad ke le ja rahein hain. Sab inko roko* …’ the godman yelled in panic. (Hey … hey … what is this that you are doing? Narayan, stop them. My followers, see these people are arresting your Baba. All of you, stop them!) But though Asaram was finally in our custody, to take the man towards the vehicle that waited outside was going to prove to be far from easy.

The very next moment, there was utter chaos. Asaram’s followers, who were close to the room, converged to stop the police team from arresting him. The news spread quickly in the ashram, and soon, many others from among the supporters of the Baba entered the confined space and started scuffling with our team to thwart the arrest of their guru. Those present in the gallery shouted and screamed while trying to block our egress, using every means at their disposal. They pulled at the sleeves of the police personnel to hold them back and even tried to break the police cordon around Asaram to grab hold of him, so that he could not be taken away. The melee that followed was unbelievable.

The situation was turning ugly, the lives of the small police team now in danger. The team had neither anticipated this kind of reaction nor resistance from Asaram’s supporters. But the commandos acted swiftly. Grabbing Asaram, they pushed him into the waiting vehicle. Chanchal and Satyaprakash, too, got into the same vehicle along with four commandos and the driver raced the vehicle towards the rear gate. Two other vehicles of the team were in ready position; Satish ordered everyone to rush into the vehicles and follow the vehicle carrying Asaram. But amidst the sudden, unforeseen action, the tight formation of the team members’ detailing and who would sit where and in which vehicle, had been disturbed.

Once outside, the supporters knew that all was lost. They stopped dead in their tracks, fearing for their own safety, since the strength of fully armed policemen from the Indore police, stationed there to protect the small team from being impeded in their bid to take Asaram away,

had only grown.

As the police vehicles carrying the team members, both uniformed and in plain clothes, sped away from the ashram towards the airport, they could hear shouts of Asaram's supporters from behind them.

'Baba *ko* airport *le ja rahein hain* !' (They are taking Baba to the airport!)

'*Gaadiyan nikalo. Peechcha karo inka* .' (Take out the vehicles, follow them.)

'*Aur saathiyon ko* inform *karo* . Police *ka rasta* block *kar do* .' (Inform more followers. Block the route of the police.)

'*Yeh* airport *na pahaunch paayein* .' (Ensure they aren't able to reach the airport.)

For some time, there was order. The team thought that the worst was behind them. But they were wrong. The moment they took a turn onto the road that would lead them to the airport, they saw several motorcycles, jeeps and cars catching up to them speedily. As they tried to get close to the police vehicles, the police team's resolve was not broken. Even amidst such harrowing circumstances, they held their own and conveyed to all the drivers of the police vehicles that under no eventuality were they to stop.

My mobile phone rang. It was Satyaprakash.

'Satyaprakash! *Shabash* !' I congratulated him. (Satyaprakash! Well done!)

Satyaprakash, however, was far from elated. In a high-pitched, panic-stricken voice, he said to me, '*Lekin* , sir … Mukta *kisi bhi gaadi mein nahin hai. Woh humare saath nahin hai*, sir. *Woh peechche ashram main hi chhoot gayi hai lagta hai* !' (But, sir, Mukta is not in any of the vehicles. She is not with us, sir. It seems that she has been left behind at the ashram!)

I could not believe my ears. 'What! *Kya bol rahe ho? Yeh kaise ho gaya? Kaun tha uske saath* ?' (What! What are you saying? How did this happen? Who was with her?) I shouted back at him, equally worried and concerned about my brave officer. For that moment, I forgot about Satyaprakash's mental agony.

'Sir, *mere saath mein hi thi magar lagta hai ki ashram ki dhakka-mukki mein woh nikal nahin payi. Sir, agar Asaram ke logon ko pata lag*

gaya ki woh police waali hai, woh usse maar denge, sir!' he cried over the phone. (Sir, she was with me, but it seems that amidst the chaos at the ashram, she was not able to get out of there. Sir, if the supporters of Asaram get to know that she is a policewoman, they will kill her, sir!)

I was most perturbed, and wished I could have been in Indore at that moment. Even today, merely recalling that moment gives me the shivers. Mukta was emotionally attached to the case, much more than any of us. As concerned as I was about this unfortunate turn of events, nothing could have been done at that point in time. We could not turn back. But first, I had to calm Satyaprakash down, comfort him in some way.

'Satyaprakash, *tum fikar mat karo.* Mukta *bahut kaabil aur bahadur* police officer *hai aur usko apni suraksha karna aata hai. Usse kuch nahin hoga* ,' I tried to assure him. (Satyaprakash, don't worry. Mukta is a competent and brave police officer. She knows how to protect herself.) 'Let me do something,' I added, and disconnected the call.

No sooner had I ended my conversation with Satyaprakash, than my phone rang again. It was Mukta!

'Mukta? *Tum kaisi ho aur kahan ho? Theek ho na* ?' I rattled off all the questions at a go, half-worried, half-delighted. (Mukta? How are you and where are you? You're all right, yes?)

'Yes, sir, *main theek hoon* ,' she said. '*Us bheed-bhaad mein main peechche reh gayi thi magar phir main ashram ke bahar aagayi. Kyunki main* plain clothes *mein hoon, kisi ne mujhe pehchana nahin.* Sir, *abhi bhi shor toh bahut mach raha hai, magar main surakshit hoon aur ashram se thodi hi door ek* Indore police *ki* jeep *mein* airport *ke raaste par hun. '* (Yes, sir, I am fine. I got left behind in the melee but managed to come out of the ashram later. Nobody recognized me because I was in plain clothes. The uproar continues here, but I am safe and in an Indore police vehicle currently, on the way to the airport.) I could hear a lot of noise in the background.

'Bahut achhe! Surakshit raho,' I responded heartily. (Very good! Be safe.)

Immediately, I forwarded the call and connected her to Satyaprakash, who by now knew that his wife was safe, as she had called Chanchal before me.

After managing to successfully evade the supporters of Asaram who had been following them, the team finally reached the airport. Fortunately, the mediapersons who had been camping at the main entrance of Asaram's Indore ashram got to know of this dramatic escape

from there only after the team was halfway down to the airport, otherwise the police may have had to contend with another group of ‘followers’.

In the meantime, I had begun the process of coordinating things at the airport, before our team reached there with Asaram. First, I called up the airport and spoke to the CISF Commandant, who was in charge of security there, to apprise him of the situation at hand. He assured me full cooperation and asked me to have the vehicles brought into the special protection area that was out of bounds for everybody, except the CISF force. On reaching the airport, the team was quickly directed towards the security area by the CISF personnel who had already been asked to escort the team inside. Once inside, the commandant met the entire team and took them to a high-security lounge where they were safe from both, the frenzied supporters of Asaram and the inquisitive local and national media. I was more than satisfied with the success of what was to be the most crucial part of the whole investigation.

Next, I called up the Commissioner of Police, Jodhpur, and briefed him in detail about the arrest and the escape drama that had followed. It had been a task full of jeopardy, owing to the resistance from and outrage caused by Asaram’s supporters, but the team in Indore had accomplished it through their sheer dedication and intelligence, despite those obstacles.

Happy at the success of the team, the commissioner complimented me and asked me to convey his compliments to the entire team, too. He also informed me that he was in talks with the government about the safety of the team and the accused en route to Jodhpur, and the government was willing to send a state government aircraft to bring Asaram and all the team members back to the city.

But I refused the offer politely.

‘Sir, there is no need to give this man any preferential treatment. We should bring him in a normal civilian-airline aircraft,’ I explained to him.

The commissioner was, however, worried about the security angle. ‘What if Asaram’s supporters get onto the plane, too, and create a ruckus?’ he asked. ‘It might be dangerous for not only our personnel but also other passengers,’ he said, trying to convince me to take the government aircraft instead.

I was adamant though. Under no circumstances did I want the Baba to be treated in any special manner.

'No, sir. We will ensure that everybody is safe, but there should be no extra privileges for this man. He is not worth it,' I said firmly, even, perhaps, with a small degree of anger. I had known Mr Joseph for a long time, and could take some liberties with him. He had also been my SP during my training as Sub-Divisional Police Officer in Alwar district in the year 2008. That's how long the association was.

'Okay, Ajay, do as you deem fit,' he acquiesced. 'Look after your men and be safe,' he finally said.

'Thank you, sir,' I said in response.

I found out from the local tour operator that there was no early and direct flight to Jodhpur from Indore. Therefore, I had no option but to book the team on a flight to Delhi, and then on the earliest flight from Delhi to Jodhpur. Sub-Inspector Amit Sihag was instrumental in coordinating all the bookings at that late hour. The bookings were done from Jodhpur at around 1.30 a.m. At that time, our team had reached the Indore airport. I knew it was a big risk taking a connecting flight because the supporters of Asaram could be waiting for his arrival at the Delhi airport and maybe some would book themselves on the flight that our team and Asaram were taking to Jodhpur from there. But there was no other alternative. So, I went ahead.

I was also taking care of the security arrangements in Jodhpur for the morning of 1 September, since the city was flooded with so many of Asaram's supporters. As luck would have it, 1 September also happened to be day that the Rajasthan chief minister Ashok Gehlot was scheduled to be on his one-day visit to Jodhpur. So, I called up the Additional SP at Jodhpur, Keshar Singh, to set up the route the chief minister's security detail would take from the airport to the city. I briefed him once again to be on the ball to beef up the security in the city for both the arrivals – Asaram's and the chief minister's.

It was 3.30 a.m. already when I finally got to stretch my legs and slide into my bed to catch a wink or two. I said a silent prayer to God Almighty for having had his hand on our heads during the entire arrest drama. The team would fly out of Indore on an early-morning flight, and head to Delhi. I was truly happy that the team had made it out of a situation that was potentially explosive, and also proud of their

determination at a time when things could have turned ugly. So far, so good.

The early-morning flight from Indore (which left at around 8.15 a.m.) took about an hour to reach Delhi. When the team landed in Delhi and made its way towards the check-in area for the connecting flight to Jodhpur, ably escorted by the CISF personnel, mediapersons from all major news channels were waiting outside the airport. Fortunately, as only passengers are allowed inside the airport premises, all they could do was click photographs and record videos of Asaram in police custody. But the news of the Baba's arrest and his travel plan had spread quickly. Though we were always cognizant of the risk, we had not anticipated that so many of the man's followers would book themselves on the same flight as ours. They did not create any commotion at the airport itself, as they knew that if they did that they would expose themselves and may be barred from boarding the flight, but the moment the plane was airborne, they started shouting slogans in support of Asaram and against the police. This had to be curbed quickly and deftly, as it could turn from bad to worse and pose a security risk for the aircraft as well as the passengers travelling in it, were it allowed to continue. Somehow, the officers were able to pacify this vociferous group of supporters by telling them that the Baba had been arrested since it was a non-bailable offence, and only further investigation and interrogation would prove whether he was guilty or not. The supporters were also warned that if they continued to create a ruckus on the flight, the Jodhpur police would have no option but to arrest them upon arrival at the Jodhpur airport. This helped calm the frayed tempers. The airline crew and the captain too were of immense help in maintaining decorum and safety on the flight.

JODHPUR
1 September 2013

A chief minister traversing his state's capital city is, in many ways, a non-event. There is a well-oiled security protocol in place covering all his movements within that city. But, when the chief minister travels, even for a day, to another city in the same state, it is an event for that

city and its whole administrative machinery. The entire police force of that city is deployed to secure his every movement, meetings and engagements. In other words, the city remains on high alert.

As per protocol, the commissioner and I were present at the airport to receive the chief minister and to supervise security arrangements for his visit as well as that of Asaram. While we waited in the airport lounge, a gentleman walked towards me and extended his hand for a handshake. I looked up at him, wondering what it could mean. Nevertheless, I smiled and offered my hand to him.

'Congratulations! I hope you know that you have managed to arrest this high-profile godman, despite pressures from various forces, in just ten days. Well done, officer!' he said to me, with a bright smile on his face, and turned to the commissioner for the congratulatory handshake. I was told later that he was a Justice of the Hon'ble Supreme Court, who was waiting for his flight to Delhi.

I hadn't even thought about it. But now that it had been pointed out to me, I realized that it had taken the few men and women of my team from the Jodhpur police just ten days to investigate the case and arrest the high-profile, well-connected godman, who was followed by millions. The FIR against him was registered in Jodhpur on 21 August 2013, and we arrested the Baba on the intervening night of 31 August and 1 September.

Indeed, it was a moment to be proud of.

The Justice spoke again, with a rewarding smile on his face. 'Congratulations to all of you! And also to the other team members who are not present here, but who must have worked day and night to crack the case and arrest this man. Well done, everybody. I am proud of all of you! It is only because of the hard work that all of you put in in the face of adversity and danger that you have been able to successfully perform your duty. But remember, the job is still half done. Now, you must all work even more diligently to present all the evidence collected against the accused in a logical and sequential manner to be able to file a charge sheet in court that is foolproof. All the best, guys. The nation is proud of you.'

The flight from Delhi took about an hour and twenty minutes and landed in Jodhpur around 11 a.m. on the 1st. In Jodhpur, the security arrangements were well in place both for the chief minister, who had

arrived in the city only a couple of minutes earlier, as well as for the godman. The team was received at the airport by me, the commissioner and other police officers amidst warm handshakes and exchange of greetings. It was an experience to witness a sort of contest among the passengers, waiting at the airport, to click pictures of the team with Asaram.

Everything was in place and vehicles were waiting for us to take the accused to the interrogation centre.

I had already received information earlier that there was a huge build-up of Asaram's supporters in the city and that they were aware of the fact that he was being flown in to Jodhpur. I had anticipated that and had a plan ready to counter any protests or law-and-order situation while we were transporting Asaram to the interrogation centre.

Everyone, especially Asaram's supporters, would have assumed that since the accused was in police custody, upon arriving at the airport, he would be taken to a police station first. In this case, since the FIR had been registered at the Women's Police Station, it followed that they would expect the accused to be taken there for the purpose of interrogation. I was, therefore, certain that they would line the route from the airport to the Women's Police Station. The idea was to outsmart them.

I did not plan to take Asaram to any police station. Police stations are usually near main roads and are easily accessible by people, and are thus not secure or safe enough to house a person like Asaram who had innumerable followers. I had already identified the perfect safe house-cum-interrogation centre for the man. It was going to be the vast campus of the Rajasthan Armed Constabulary (RAC), which had a large guest house, too. It was also away from the main road and heavily guarded. Inspector Kamal Singh had beefed up the security at the guest house.

I told the police officers that I would require just three vehicles. One would be my personal police car, the second would be the car in which Asaram and members of my team would travel, and following the two cars would be the local police escort vehicle with a group of armed commandos. Since the supporters would be expecting a heavily armed and long security detail for transporting the Baba to the police station, I wanted to make my convoy as inconspicuous as possible by limiting it to just three ordinary-looking vehicles. Nobody could imagine that a high-profile accused such as Asaram would be taken in an ordinary three-vehicle convoy.

I also changed the route of our convoy at the last minute and instructed the drivers of all three vehicles to take an alternate route. The idea was to keep off the main roads.

'But, sir, at some point in time we will have to go on to the main road to reach the Women's Police Station…' one of the drivers commented.

'Who told you we are going to the Women's Police Station?' I countered.

The man looked flummoxed.

'We are driving to the RAC campus guest house. I want you to follow the inner roads and by-lanes to take us there without arousing any suspicion that we are transporting Asaram Bapu. His supporters would be expecting us to drive him to the Women's Police Station and would be present in large numbers along the route from here to the police station. I want to keep them guessing as to where we have taken the Baba. Do you all understand?' I asked my team.

'Yes, sir! That's brilliant, sir!' I heard them say.

'Let's get cracking then. Follow my car.'

Nobody, besides the team that was travelling with me and some other key members of my team such as Chanchal, Mukta and my second-in-command, knew of the plan to take Asaram to the RAC campus.

After about an hour's drive, when we reached the campus, I deputed two of my officers, Amit and Rajveer, to be with the accused at all times and settled them in one of the well-furnished and air-conditioned rooms of the RAC guest house. Once again, I congratulated the officers who had accompanied Asaram back to Jodhpur and asked them to get some rest since they had been on their feet for the last forty-eight hours. I told them to report back in the afternoon.

With all the safety precautions in place, I left the guest house to go and oversee the arrangements for the chief minister's visit to the city. Before I left, I took the two officers, who were going to be in the same room as Asaram, aside and had a quiet word with them.

'Engage the Baba in conversation. Make him comfortable and develop a rapport with him so that he begins to share details with you. Don't be harsh to him until further orders.'

'Understood, sir,' came the response.

I left the RAC campus at about 1 p.m. and remained busy with the visit of the chief minister until late afternoon. Once his many meetings and engagements were over and he left for Jaipur, I asked my driver to take me back to the RAC.

At around 5 p.m. when I reached the RAC campus, I headed straight to the room where Asaram had been put up. It had been a long day and I knew that he would be squirming by now, wondering what plans I had for him. I smiled to myself, imagining the discomfort he must be experiencing.

I entered suddenly and unannounced, taking by surprise the occupants of the room, including my two officers. The surprise was more than equally mine, in a manner of speaking. For the sight that came into view first shocked me and then made my blood boil. I saw that Asaram was sitting comfortably on the sofa that was in the room, while my officers were sitting on two uncomfortable-looking wooden chairs. Seeing me, the officers got up and saluted me.

'Arre, *tum dono in kursiyon par kyun baithe ho? Aur yeh Baba sofe par kyun hai? '* (Why are you two sitting on these chairs? And what is this Baba doing sitting on the sofa?) My voice was stern.

Our ace interrogator, Amit, who, until now, had been behaving as if he was the Baba's disciple, responded immediately and asked me to give him a few minutes with the godman.

Then, he turned to Asaram, saying in an angry tone, 'Baba, *tu sofe pe kaisa baitha hai? Chal uth wahan se aur neeche zameen pe baith .'* (Baba, how's it that you are sitting on the sofa? Come on, get up from there and sit on the floor.) By this time our men had brought in a chair for me to sit on.

Asaram was utterly astonished at the sudden change in the behaviour of the officer.

Amit repeated in a harsher tone: '*Kya suna nahin, Baba? Chal khada ho jaldi wahan se aur ja kar zameen par baith! Jaldi! '* (Didn't you hear me, Baba? Come on, get up quickly from there, and go and sit on the floor. Hurry!)

Asaram had no alternative but to get up from that sofa and sit on the floor. Once he was on the floor, I asked my officers to sit on the sofa.

It would be rather hard to believe how just two minutes can change equations. God incarnate to millions of followers in India, the man who claimed to know people in high places in the government and in politics, and the man who, until twenty-four hours ago, was seated on his huge

throne in his ashram, content in the knowledge that no harm could come his way, now found himself sitting on the cold floor of a police guest house far, far away from civilization and from the adulation of his devotees. Surely, it would have been hard to swallow that this was actually happening to him. He had been unceremoniously asked by a police officer to get up from a comfortable sofa and sit on the hard floor. This must have appeared to him equal to being rudely dragged down from the pedestal that he had been placed upon by his followers all these years.

I strongly feel that the act of making him sit on the floor broke the godman's spirit; it was the moment that his sense of entitlement was torn to shreds. And it had taken all but two minutes for him to be stripped away of all the smugness, the arrogance, the swagger and the self-respect. I saw his face fall.

'*Aisa mat karo*, DCP sahab…' he said to me, his eyes filled with tears, his hands folded in front of him. (Don't do this, DCP sir…)

'*Baba, tu yeh bata ki yeh sab kya kar dala tune. Jaldi bata…*' I asked him in a gruff voice, with contempt in my eyes. (Baba, you tell me why you did all this. Tell me quickly…)

What he said in response astounded me.

'*Galti kar di … galti kar di maine…*' he said quietly with a fearful expression, his hands still folded in front of him. (Committed a mistake … I committed a mistake…)

That was exactly where I wanted him. My plan had succeeded. I knew that it would now be easy to make him confess to his crime and to corroborate the allegations against him.

Jolted out of his comfort zone, Asaram began to sing like a canary.

But it was only just the beginning of his side of the story.

By this time, Chanchal and Mukta, too, had reached the interrogation centre. We now asked the Baba to narrate to us the incidents exactly as they had happened.

When he hesitated, Amit said angrily, 'Baba, *humare paas samay bahut kam hai. Jaldi bata nahin toh humein bahut tariqe aate hain sach ugalwaane ke. Yadi sach nahin bataya to hum tumhe kal hi jail mein jama karwa denge, aur agar sach bataya toh zamaanat hone tak yahin guest house mein rakhenge. '* (Baba, we have very little time on our hands; tell us quickly, otherwise we have many ways to extract the truth.

If you won't tell us the truth, we will have you deposited in jail tomorrow, but if you tell us the truth, we will keep you here in the guest house until you get bail.)

This served as the turning point at the time of the interrogation, for Asaram started to tell us the whole story. Chanchal was doing a video-recording of his statement. The story that came through was of the ordeal the girl had been subjected to, the same that she had told to us during the registration of the FIR ten days back. But this was not enough to establish the truth. I asked the Baba to help us reconstruct the sequence of events in the order in which they had taken place, at the SoC. But Asaram was hesitant and requested me not to take him to the kutiya as it would be an embarrassing experience for him to have to appear like this in front of one of his own supporters, who also happened to be the owner of the farmhouse. But when Amit looked into his eyes, the Baba immediately stood up and got ready to be taken to the SoC.

Meanwhile, his supporters and the media had come to be aware of the location at which we were holding him, and had assembled in front of the RAC campus in large numbers. But the strong police deployment helped keep them under control.

We took Asaram out through the rear gate of the campus, and headed for the SoC. Once there, he showed us the place where the unfortunate incident had taken place, corroborating the sequence of the crime that had been alleged by the victim. He told us the specific times around which the offence had been committed, and even remembered the sequence in which they had changed out of their clothes. Throughout our stay at the kutiya, we recorded Asaram's statements in relation to the SoC, verifying his confession made earlier at the interrogation centre.

My interrogation team kept the accused up the whole night and by early morning, we had all the information we needed, including, most importantly, his confession. Once again, in his presence, we reiterated the sequence of events as they had unfolded on that fateful night at the SoC.

While we had been able to procure the godman's confession, I wanted to leave no scope for dispute or doubt as regards to the case being built against the accused. It had to be watertight. And for that, it was essential that he be sent for a medical examination. The other reason why that was crucial, according to me, was that the man was over

seventy-two years of age; and I did not want him to later plead that, on account of his age, he would have been incapable of committing a crime that was sexual in nature, that he was impotent. In my view, the medical examination would help dispel many an assumption and unsureness about an aged man being capable of sexual assault, as also prove to his supporters that the charges against him were neither mala fide nor did they draw on some hidden agenda.

I had expected Asaram to resist this test, but to my surprise, and relief, he agreed to it. Resistance and opposition did come my way, but from quarters least expected: the police officers of my own team and some other senior officers. They reckoned that my insistence on a potency test of a seventy-two-year-old man may not go down well with his supporters, the common people and even with the media. There were also some who felt that if Asaram failed the test, it would put paid to the entire investigation and might weaken the case for the prosecution. But I did not succumb to these pressures and decided to go ahead with the test, to settle the matter one way or the other. I called the commissioner.

'Sir, I want to keep Asaram in police custody for one more day,' I told him.

'What in the name of heavens for, Ajay? Do you know the consequences of doing that?' he asked, clearly shocked and angry at my request.

Until now, Mr Joseph had supported all my decisions and plans, but this request was evidently too much
for him. I was aware of his reluctance to grant me permission to hold Asaram in police custody in the first place because of the possibility of Asaram and his supporters, or even the media, levelling against us false accusations of police torture while in custody. Although I fully comprehended the gravity of this possibility, I had to convince the commissioner to allow a day more in hand.

'But, sir, it is essential for our investigation. We need some more time with him to cross-examine him further, to correlate the accusations against him to the actual sequence of events. I shall be very grateful if you could trust me on this and allow me one day with the man. I assure you that nothing untoward will happen and that we shall be very careful while dealing with him, but I must have him in my custody for one day. It is absolutely imperative, sir,'
I persisted.

For about thirty seconds, there was silence on the other side. Those

thirty seconds were the longest of my life;
they seemed like thirty minutes. I knew the decision wouldn't be easy to make and that the commissioner was contemplating how to respond. At last, I heard him let out a sigh and clear his throat to speak to me again.

'All right, Ajay, you may do as you please. But I am warning you, I want no reports of physical violence or torture. You must understand that he is not an ordinary criminal. He is a high-profile godman who has millions of supporters and friends in high places. I am telling you that if anything goes wrong at this stage, it will mean that all the good work done until now by you and your team will be brought to naught, and we will have to face official enquiries and possible court cases for the rest of our careers in the police and our lives. You have my permission, but you must know that I am not at all happy at your insistence. Be careful.'

I thanked Mr Joseph for the permission and his support, but I was aware, and understood why he was most agitated with my decision to hold Asaram for one more day. But on my faith, be it.

Once we got the okay for holding Asaram in police custody for a day, we prepared the case file to be produced in court to get the police custody. Thereafter, we tried to collect as much information, besides what he had already confessed to, as we could from Asaram. We recorded whatever detail we needed for prosecuting the accused. The criminal conspiracy, hatched with the connivance of the others accused, was also unearthed. The interrogation complete, we were now cognizant of the missing pieces of the case, which we would need to gather as the investigation progressed.

Meanwhile, while all the bits and pieces of information were being gathered, analysed, and put together, I did not forget my real purpose in getting the police custody extended.

JODHPUR
2 September 2013

A potency test is a medical test conducted by doctors, along prescribed parameters, to ascertain whether a person or an accused is capable of committing a sexual assault. It took the doctors from Jodhpur's Mathura Das Mathur Hospital about two hours to conduct the potency test on Asaram. One of the various ways to conduct a potency test is to cause stimulation to an individual's private parts manually, and the other is to

inject simulators such as papaverine into one's system.

As I was informed by the doctors later, in Asaram's case, his potency was proven while conducting the first test itself. I was glad that I had insisted on the man undergoing this test because now the results would be instrumental in proving that the man was indeed capable of committing the sexual assault he had been accused of. It would also prove useful in pacifying his supporters who believed that the complaint was bogus, as their guru was a seventy-two-year-old man and thus incapable of indulging in such an act. Meanwhile, the officers who had opposed the decision to go for a potency test were satisfied with the way the events had unfolded. They had nothing more to complain about.

Contented, thus far, with our interrogation of the accused and having conducted the potency test on him, the results of which were positive, the Jodhpur police sent Asaram Bapu into judicial custody on 2 September.

SIX

Post-arrest Perils

JODHPUR
September 2013–present

Following Asaram Bapu's arrest in a record time of ten days, on 2 September 2013, we handed him over to judicial custody. We now had the task of preparing and submitting a charge sheet in court against the man. We knew that the indictment in our charge sheet, which was to catalogue all our findings, had to be comprehensive. The evidence collated should not only have proved to be the basis of our arrest of the accused, but ought to have been reliable and conclusive enough to get a conviction.

So, we immersed ourselves into preparing a credible charge sheet against the arrested. This involved diligently perusing all relevant evidence, including forensic evidence, that our field units had gathered during the course of the investigation and then arranging all of it in a logical manner. Although it was a tedious and time-consuming activity, we were aware of the fact that we had to be extremely careful during this period so as to not become overenthusiastic in our approach. Even though we were convinced that the accused was guilty as charged, we had to ensure that we did not include anything in the document which we would not be able to back with solid evidence in the court of law. I had observed a number of cases in my career where investigators had gone overboard in trying to prove the accused guilty by including things in the charge sheet which could not be backed by evidence and had had to face the ignominy of having the case thrown out of court for introducing insufficient or false evidence. As we had worked so hard in the case, it was the last thing that my team or I wanted to happen.

That is when it all started. To gain momentum, I'd add.

My team and I began to receive inducements and threats, thick and

fast.

The threats had, in fact, started soon after the FIR was lodged against Asaram, but now, the frequency and the viciousness increased manifold.

I distinctly remember that it was the day immediately following the one on which the FIR had been registered, when someone known to me came to my office, and as I politely asked him to take a seat, he said to me, ostensibly to show his concern: 'Ajay, if any action is taken against Bapu, it will result in hundreds of deaths.'

'Why do you think like that? Is there a valid reason behind your prediction or are you just presuming that his arrest will lead to hundreds of deaths?' I asked.

'I say it because I am convinced it will be so. I am convinced because several of Bapu's followers will commit suicide when they hear of the arrest of the man they consider their god and religious messiah. His arrest will not be tolerated by the faithful followers and they will have no option but to either protest violently or to end their lives,' he replied. He was already showing signs of anger. He continued agitatedly, 'To tell you the truth, Ajay, I am also a follower of Asaram Bapu and if he is arrested, my reaction will also be the same as millions of his other supporters in the country.

'I have come to warn you of the consequences of your action because I have known you for many years and I don't wish that any harm should come upon you. Have you thought about what will happen if people commit themselves to death? The families of all those supporters who have committed suicide as a protest against the arrest of their guru will bay for your blood. They will demand retribution for this action of yours and then you can very well anticipate what the consequences will be. Remember, Asaram Bapu is a very powerful man. He has connections and supporters everywhere and even amongst the people in the top echelons of society, in politics and in government. Do you know that his personal wealth is over Rs 25,000 crore which includes Rs 15,000 crores' worth of property all over the country? He is a man who can afford to pay an income tax fine of Rs 750 crore. I am telling you all this because you should know and understand that this is not an ordinary man that you are investigating. Beware before it is too late.'

What he said amounted to no less than a subtle threat. He was warning me of the consequences of my decision to arrest an alleged criminal. He was telling a senior police officer not to arrest an accused. He was telling me to abdicate my responsibility and duty to the uniform,

and the pledge I had taken to uphold the law of the country. I was angry, rather, extremely disappointed, with this so-called well-wisher of mine. Unfortunately, I could not tick him off right there and then, owing to our long association.

Much against my desire to do so, I pacified him. I told him that the case was still at a very initial stage and even I did not know if the allegations against Asaram Bapu were true or not. But it was a matter of procedure for me to investigate the case, as an FIR had been filed against the man.

'Under the provisions of law and under the sections under which the FIR had been registered, if the police collects evidence which leads it to believe that the alleged crime has indeed been committed, I would have no other option but to arrest Asaram,' I added firmly.

I assured him that the police would investigate the matter with due diligence and honesty, and that he or Asaram's other supporters should not presume the worst at this very early stage.

Besides, I also conveyed to him that pressure tactics would not work on me. While on his way out, when he was halfway across the room, I called out to him and said, 'The fallout of his arrest and other such matters shall only be considered after investigation into his alleged crime and the collection of evidence.'

This was the first. But it was followed by direct threats and inducements at various points in the investigation. Many political leaders, bureaucrats and police officers used to call on the pretext of wanting to know the details of the case, and our conversations would end almost every time with some worldly advice for me to go slow and to keep myself away from the case. Sometimes, the advice for me was to consider the option of gaining monetarily from this 'opportunity'.

While initially, I didn't share any of this with the department or my team, when they became more common and frequent, they started to disturb me. My mobile would ring at odd times; calls would come in while I would be in discussion about the case with my teams. I would try and make it seem as if everything was normal, but the members of my team would overhear the conversation from the other end of the line and notice my facial expression change from being cool and composed to one of anger. They knew something was amiss and that I was being pressurized by influential sources to go easy.

Sub-Inspector Bhanwar Singh, the one heading the team that had had to wait for eight hours to serve the mandatory summons to Asaram for

him to join the investigation, too, had received threatening calls after serving the summons to the godman. This was on 25 August 2013, five days before the eventual arrest of Asaram. He had called me to inform me of the same. That was when I realized that the threats were not limited to me only; probably every officer who was instrumental in trying to bring the guilty to justice or was involved in the investigation of the case was being approached, tempted in some manner to change sides, or being threatened. So one day, I called my entire team and enquired whether they had been facing the same situation. To my utter surprise, I came to know that almost all the members of my team had been approached with inducements of a monetary nature, and other offers.

One of the officers said that they had kept this from me since they didn't want to add to the innumerable things already crowding my plate. Another upright officer informed me that when Asaram's men realized that the officers were not going to sacrifice their integrity, they threatened him with grave consequences, even death, over the phone.

'I am glad that you did not waver, become weak or uncertain while making that decision, but you should have informed me about it. Remember, we are a team. It is one for all and all for one, and this is the time when we all need each other's support and understanding,' I said to all present.

We discussed the matter at length and concluded that we would not share any of this outside the department and, if possible, even within the department, try and keep this matter restricted to only the immediate team members. The reasons for swearing to complete secrecy about the many temptations we were being lured with, and the threats we were receiving, was that if it got out that the police itself was being threatened with death, it would be almost impossible for us to gather free, fair and credible evidence from the witnesses. Moreover, it could also have had an acutely demoralizing effect on the victim and her family, too, and would definitely have shaken their confidence in pursuing the case to its logical end.

During the investigation, at different points in time, my team revealed to me their experiences. Investigating Officer, ACP Chanchal Mishra, too, was threatened continuously during the course of the investigation. At one point of time, a few of Asaram's followers had even followed her inside the court premises in an effort to intimidate her. But they were promptly arrested from within the premises itself.

Even during the trial, Chanchal received threats. The Gujarat police, who were investigating the case against Asaram's son, Narayan Sai, revealed that an accused in that case disclosed to them during interrogation that they had planned to kill her by installing an IED and blowing up her vehicle. In the wake of such disclosures, Chanchal had to be provided additional armed guards round the clock even when she was later transferred to Bhilwara district.

Our key investigator, Mukta Pareek, mentioned several instances of being followed around and threatened during the investigation process, even at the stage when the case was in court and the hearings were on.

The majority of officers in the department had doubts about Mukta's husband, Satyaprakash, that given his tendency to buckle under extraneous pressures, he would be easily bought. But I was convinced that he would stick to the promise he had made to me, that of his complete dedication and trustworthiness. And so, he did. He was made the hugely enticing offer of owning all the properties and ashrams of Asaram in the state of Rajasthan, worth many crores. He refused. Not only that but he also told the people who had come to him with the offer that he would ensure that Asaram and all the co-accused get the maximum punishment that they deserved for the crime that they had committed. He had delivered at the time of crisis.

In an emotional moment, Satyaprakash had said to some of the team members: *'Maine apni zubaan di hai ek bahadur aur imandaar officer ko. Jab DCP Ajay Lamba sir itni mushkilon aur* pressures *ke bawajood sach aur nyaya ke raaste par khade hain, main kaise unke saath gaddari kar sakta hoon? Main itna bada paap apne upar leke is duniya se nahin jana chahata. Woh log mujhe kisi tarah se nahin khareed sakte. Main is paap ka bojh le kar nahin marna chahata.'* (I have given my word to an honest and brave police officer. When DCP Ajay Lamba sir is following the path of truth and justice despite all the difficulties and pressures on him, how can I betray him? I don't want to leave this world with the weight of such a huge sin upon me. There is no way that those people can buy me off. I don't want to die carrying the immense burden of this sin.) When I heard of this later, I was truly happy that I hadn't misread Satyaprakash's capacity to side with what was right.

So, at every point, we had to proceed with our investigation more discreetly and quickly.

In their approach towards me, the modus operandi of the godman's ardent admirers kept assuming different proportions. It all started gently

before turning downright ugly by the end. Initially, they used to call me on my mobile phone, ostensibly to request my help in the matter, but my denying any request of diluting the charges against the godman led them to lure me with assurances of monetary gain. One day, a few of the godman's followers met me in the office on the pretext that they had come to extend their help in convincing Asaram to surrender, but only a few minutes into the conversation and they said, '*Aap jitni kalpana kar sakte hain uss se bhi zyada paisa* Bapu *denge aapko, bus aap is* case *mein unko* arrest *mat karo* .' (Bapu will give you more money than you can even imagine. Just don't arrest him in this case.)

I told them to get out of my office at once.

Sometimes, when all their entreaties and lure of the filthy lucre would fail to make me change my stance, the callers would resort to abuse and open threats.

With the passage of time, whenever they called me, they would start the communication by abusing me, rather than saying a simple 'hello', as is the norm. After a while, it became such a nuisance that I stopped answering calls from unknown numbers on my mobile. To counter this, they began sending me abusive messages. They would threaten me, my wife, and my close family members with wretched consequences, send the choicest of abuses in Hindi in these messages and tell me that if I did not stop the investigation immediately, they would make my life a living hell. Threats to eliminate me were also made.

Things became so bad that I decided to restrict myself to taking calls only on the landline number via my PA and avoided using my mobile to the best extent possible. This discouraged many, but not all. Some began misrepresenting themselves to my PA to get connected with me over the line. They used to pretend to be my family members, from a government department, and even from the police department of another state.

Once through, threats of a varying nature alongside abusive language would come my way. This had such an impact on me that I am not embarrassed to acknowledge, that even today, I hesitate to answer unknown numbers on my mobile phone. In fact, to this day, I continue to get such threatening calls from unknown persons.

At the time, besides the constant harassment over phone, the desperate followers of Asaram even started stalking me and my family. The intelligence branch observed suspicious activities near my residence, and a few people were also caught and questioned while doing reconnaissance of my house and my routine. Perceiving the threat

to my life as serious, the intelligence branch gave me additional security cover. A special team of plain-clothes commandos was also stationed near my house to ward off any attack on me or my family.

Generally, it has been observed that only the police officer concerned with a case is threatened for his doing his official duty or at some point during his career, but rarely do family members of the police officer get such threats. In this case, however, the mad followers of Asaram got together and once even reached my native village, a hamlet called Lambi ki Dhani. Thirty kilometres from the Neema ka Thana subdivision of the Sikar district of Rajasthan, the village is so small that it only consists of twenty families.

Fortunately, our native village is still a form of an extended family and once the villagers became aware of the intentions of this group of Asaram supporters, they gheraoed these followers, making it impossible for them to escape. Afterwards, the local police was called in and the miscreants handed over to them. Following this incident, the district superintendent was kind enough to put a round-the-clock security cover for my parents in the village, until things normalized.

But this incident – of the followers reaching my native village – left a deep impact on my family, especially my wife, who feared for the safety of my schoolgoing daughter. I tried to convince her by saying that I was going to ensure that nothing happened to her or our daughter, but she was in a rare state of panic. I understood her situation. It may have been easy for me to take all this in my stride because I felt that I was in command of the situation and that, with the support of the police force, I could handle any untoward situation, but for her, living in an atmosphere of constant fear proved to be too much. My assurances failed to pacify her and she decided to stop sending our daughter to school for a few days.

Eventually, Asaram was arrested and then successfully put in judicial custody. All this became public knowledge. After Asaram had been sent to jail, an army of prominent lawyers descended in Jodhpur in an effort to get him released on bail. One day, after one of the bail arguments, a mediaperson asked ACP Chanchal Mishra, outside the court, about the difficulties and problems the police were facing while carrying forward the investigation. Chanchal's on-camera response was: 'Our DCP, Ajay Lamba, is himself getting threats to his life, what to say about the other police officers. Asaram Bapu's followers are so daring and desperate that they can even think of causing harm to the senior-most police

officer of the district. I have myself witnessed these threats being made too.'

The cat was out of the bag. Of course, there was a huge uproar in the media as well as among the general public, but we were able to limit the damage and told everybody that the police was used to getting threats, and that the Jodhpur police was not going to be intimidated by them or let such events affect the free and fair investigation into the case.

Kudos to my dedicated team that they did not let such setbacks affect their morale or resilience in going on about their respective jobs in a most professional manner. But I could feel the extreme strain that they were under and hoped that we would be able to file the charge sheet as early as possible in court.

The threats that began with the registration of the FIR, would continue almost until the date of the judgement, and even beyond. Asaram's followers were so desperate that they would not even leave the advocates representing the victim, who were brought in to assist the government advocate, off the list. When the advocates informed the police about these life threats, we investigated the matter, and the intelligence reports conclusively proved that their assertions were true. Consequently, they were provided with round-the-clock security cover for the entire duration of the trial. Intimidation by other means and methods was also attempted to influence the senior advocates who had come from Delhi to argue the case. They were clear cases of connivance and not everything that took place was in black and white. Once, the income tax department suddenly decided to raid the rooms of the five-star hotel in which these advocates were staying. The income tax raiding team claimed that they had information that these people had crores in their hotel rooms. Of course, no cash was ever seized in these raids.

The series of threats to my life and to that of my family members continued even after we had submitted the charge sheet in the court in November 2013. In January 2014, I assumed the position of Superintendent of Police in Udaipur. I was transferred as part of the state-government reshuffle post the assembly elections. One day, after I had assumed charge of the district, the airport authorities of Udaipur got a call that threatened to explode a bomb at the airport and asked them to inform me that it was a challenge for me to stop it. The caller said that he was avenging Asaram's arrest. Later, this caller, who claimed to be a fanatic follower of the godman, was arrested from Ujjain.

During the course of the trial, I was again transferred, this time to the

Anti-Corruption Bureau in Jodhpur, and yet again, the followers started their futile exercise of threatening and abusing me. This was October 2015. Asaram was taken to court every day, as the high court had ordered a day-to-day hearing, and almost two companies of armed police would have to sanitize the route from the prison to the court, since thousands of the godman's supporters used to regularly assemble and occupy both sides of the road. Each day, after Asaram was taken back to prison, these followers used to assemble right outside my office, which was quite close to the court, and the police had to be on their toes to disperse the crowd regularly.

Though the threats followed me to Udaipur and again back to Jodhpur, it was those three and a half months between August 2013 and December 2013 that were frenetic and highly stressful not just for me and my team, but also for my wife, my parents and my extended family. Though my parents, my wife or my in-laws never discouraged me or asked me to do something that was against my line of duty and my principles, and only asked me to be vigilant and careful, I could see the fear, the tension and the unhappiness on their faces and in their eyes.

JODHPUR
October 2013

Beneath the uniform and the outwardly trappings of power and authority, the police officer is just another normal, ordinary person. He has a duty to perform, a job to do, and returns at night to those who wait for him at home. He risks his life in dealing with some of the most vile human beings and dangerous criminals, in the course of performing his duty. Sometimes, these criminals form a lifelong enmity with the police officer as they blame him for putting them behind bars. But the police officer carries on undeterred in the path of preventing crime and maintaining law and order.

It is not that he is not scared or afraid at times. He is. He has the same vulnerabilities, the same insecurities as any other person. But he tries to put up a facade. He doesn't complain because it is the service that he has chosen knowing full well that there will be situations where there will be a danger or threat to his life, and maybe also to that of his loved ones.

My story was not any different from that of other police officers who serve the country, daily braving the dangers of their job. I was not afraid

for myself. Why should I have been? I chose the police service and I knew exactly what my duties were, what the risks would be. It is also in my nature to be positive. I am someone who doesn't dwell too much on the uncertainties of life. I work towards my goals in a planned and dedicated manner and try not to leave anything to chance. I try and make the 'what will be' and the 'what can be' factors redundant by my hard work and diligence.

In the Asaram case, while I was not afraid for my own safety or what could happen to me personally, in view of all the threats I was receiving on a daily basis, my only concern was regarding the safety and welfare of my family. Though my parents and my wife had always supported me and stood behind me during trying times in the past and they were doing the same this time, too, I knew that this time round, behind the brave and stoic facade that they had put up for me to see, things were different. The anxiety was beginning to show on their faces. The episode at my parents' village was perhaps the proverbial straw which, if it did not break the camel's back, seriously damaged it.

My parents were worried about my safety. My wife was worried about my daughter's safety, even mine. And I was worried about all of their safety. The episode at Lambi ki Dhani, the various threatening calls that my wife used to receive on the phone at home and the presence of unknown vehicles in the vicinity of my residence, always watching the house and the routine that each of us followed, unnerved my wife to a great extent. Her decision to stop sending my daughter to school made me realize that even though she was not saying anything directly to me, she was deeply troubled at what was happening.

This made me pause and reflect on the issue seriously. In pursuit of achieving excellence in the work that I was doing in investigating the high-profile case of a very powerful man like Asaram, I did not want to rue the fact later that I had neglected my family, if, god forbid, something untoward was to happen to them. But I did not want to neglect my duty either. It was a predicament that I had to find a solution to, too. And quickly.

As I sat there in my office that afternoon, looking at the framed photograph of my wife and daughter smiling at me, I decided to revisit my life and introspect a little.

And that took me all the way back to 7 August 1978, to my birthplace, Lambi ki Dhani. The village did not have electricity, proper roads, or even clean and safe drinking-water supply. For primary

schooling, too, one had to trudge to the nearby village, which was 3 kilometres away.

We were not a well-to-do family, but one that laid great emphasis on education. My father, who was himself a teacher in the primary school that was situated in the nearby village, was a progressive person and wanted the best education for his son, even if he could ill afford it. My mother supported my father's beliefs and ideals. They made sure that I attended primary school and not waste my childhood only playing it away with other children in the village. I completed my primary education in the village school, and when I was in the fifth standard, my father made me appear for the entrance exam of Navodaya Vidyalaya.

Navodaya Vidyalayas are the central government's residential schools that provide education to students from the sixth to the twelfth standard. In these schools, the entire cost of boarding, lodging and education is borne by the government. I successfully cleared the entrance exam and was enrolled into this school in the sixth standard. With governmental support, I was able to receive the best education I could hope for at that time.

After completing my schooling, I got admission into the Government Engineering College, Kota. Here again, I received a scholarship which would cover my education and hostel fee. While I was in the final year of college, I got a job through campus recruitment and joined HCL Infosystems soon after.

After having worked in HCL for six months and gaining some valuable experience, I switched over to the Centre for Development of Telematics (CDoT) in Delhi. Soon after, I moved to Bharat Electronics Ltd (BEL). Here, I worked with the design team of Electronic Voting Machines (EVMs). This experience helped me land a job in the Defence Research and Development Organisation (DRDO).

I continued studying for competitive examinations even while I was gainfully employed and, after clearing the Indian Engineering Examination (IEE), secured a position with the Indian Railways. While I was working for the Indian Railways, I continued to prepare for the civil services examinations (UPSC) and got through the Indian Revenue Service (IRS) in my first attempt. Not satisfied with my achievement, I tried once more the next year and got selected for the Indian Police Service.

Even though I did not have an urban upbringing or a private- school background, I never let it affect my confidence or my will to succeed.

My entire educational journey was government-aided; I never ever needed any financial support from my family to pursue further education. I felt indebted to the system and to society for helping a person like me, who came from a remote village of only twenty families in Rajasthan, to have a smooth educational journey and for providing me with opportunities where I could compete with others, who may have come from more privileged backgrounds, on the same footing. The philosophy that drove me was based on the realization that even though some may have considered me to have hailed from a disadvantaged background – it is perceived as a disadvantage by many – the system and society had always helped me overcome that disadvantage. And having been able to come to a level at par with others, it became my duty to compete well and excel.

The phone rang. Its shrill sound brought me out of my reverie and after I attended to it, I sat back and made a decision. I had had humble beginnings and journeyed very far; I was not going to back down now. While I was going to ensure that my family was protected from all dangers that the case in hand had thrown at me, I was also not going to be intimidated or cowed down by them. I would pursue the case to its logical end. The Asaram case was my chance to repay the society for all it had done for me. Moreover, I did not view it as an isolated case of sexual assault on a child; I saw it as an assault on the very faith of the innocent followers, who continued to be cheated by self-proclaimed godmen such as Asaram.

Suddenly, I felt much lighter. The dull pain in my forehead was gone and the tight knot in my stomach had vanished. My mind was clearer. I knew exactly what I had to do. I realized that it was crucial for me to have spent some time with myself for some honest introspection.

My mind was made up.

No threat or inducement was going to affect my investigations, my honesty or my diligence. I was going to go after the guilty with all my might, and ensure that Asaram and the co-accused got the punishment they deserved for the crime they had committed.

I decided that I was not going to bend. And I was certainly not going to break.

SEVEN

Towards a Watertight Case

SPECIAL COURT, JODHPUR
6 November 2013 – Filing of charge sheet
29 November 2013 – Court takes cognizance
13 February 2014 – Court frames charges

Despite the immense pressures from those who didn't want the accused to be brought to trial, and the constant media attention that demanded of us not only determination but immense amounts of introspection, we took pride in the fact that we had successfully investigated the FIR filed against Sant Asaram and had been able to send him to judicial custody in record time. Careful scrutiny of all evidence that we had collected from various places in the country and the confession of the main accused, including the reconstruction of the SoC, led us to conclude that the self-proclaimed godman was indeed guilty of rape as alleged by the underage girl. But this was only one half of the job done. Now came the most important part where we would have to compile all the evidence that we had collected during the investigation, along with the proof of it being reliable and credible, and submit it to the trial court, which would then make it the basis of prosecuting the accused.

Sounds simple? It isn't. A mistake at this stage can cause an entire case to collapse in the court of law. What's required is days of careful perusal of all the relevant evidence collected by various field units and then arranging it in a logical and sequential manner, keeping in mind the sections of the law that can be applied to the case. The more watertight a case for prosecution, the better.

After completing the investigation, which, apart from other evidence, includes statements of the victim and other witnesses, a report is submitted to the trial court. This process is generally called submitting a

charge sheet in the court, the charge sheet being a legal document, which includes a summary of the whole investigation, wherein every charge shall state the offence with which the accused is charged. It is imperative that the charge sheet be prepared meticulously, because this document helps to create the picture of the crime in the eyes of the judicial officer who will conduct the trial.

Now, once the case is put up in the court and the prosecution takes over, the police's role becomes very limited. The police department then only performs the role of a facilitator to produce witnesses in the court. Also, the policemen have to themselves appear in court as witnesses to depose about collection of evidence in various forms.

The Indian criminal jurisprudence creates various offences with specific names and the charge sheet must describe the offence under such names. It includes details of the offences committed, along with the relevant sections of the respective penal codes. It includes in detail why a particular offender is accused of a particular offence, along with the spatio-temporal details of the crime scene. It also includes the gist of all evidence, oral or documentary, explaining which document or witness will prove what sort of fact with regard to the case.

There are three cardinal principles of criminal jurisprudence:

1. The prosecution has to prove its case beyond reasonable doubt. means that it is for the prosecution to prove the defendant's guilt an for the latter to establish his/her innocence.

2. The accused must be presumed to be innocent unless he/she is pr guilty by a competent court of law.

3. The accused may be given the benefit of doubt if he/she is able to c a suspicion in the mind of the judge, but it remains the responsibili the prosecution to prove the guilt of the accused beyond reasor doubt in court.

It should be noted that the POCSO Act may be considered an exception to these rules. Under its provisions, when the victim of assault is underage, the court presumes that the person being prosecuted for the offence has actually committed the offence, and the person's defence must prove the contrary to be true – that is to say, burden of proof lies upon the accused, whose defence must establish his/her innocence to

win the case.

Thus, for our case to be tried under the said Act, it was imperative for us to establish that the victim was a minor.

In this case, the charge sheet was put up in the court of the District and Sessions Judge, Jodhpur, on 6 November 2013 under sections 342, 376(2) (f), 376(D), 354(A), 370(4), 506, 509/34, 109, 120(B) of the IPC; sections 5(f), (g)/6, 7/8, and 17 of the POCSO Act; and sections 23 and 26 of the JJ Act; and was later transferred for trial to the court of the Special Judge, POCSO Act.

The accused named in the charge sheet that was put up in court were:

1. Asaram alias Asumal
2. Sanchita alias Shilpi
3. Sharad alias Sharadchandra
4. Prakash
5. Shiva alias Sawaram Hethwadia

The charge sheet contained the gist of the evidence that had been collected, along with details of how the various components of the evidence were linked, in the form of oral testimony and documentary proof. The following, after thorough investigation, formed part of the charge sheet.

1. The recorded and videographed statements of the victim, her parents crucial witnesses, like Vishnu Dewada and his family members – were owners of the kutiya where the crime was committed.
2. Victim's medical reports and her deposition before the juc magistrate, her matriculation certificate, and other docun determining her age, including documents supporting her first admis in a school.
3. Recorded statements of the neighbours of the victim's famil Shahjahanpur. These were sought to ascertain the background o victim and her family, and also to eliminate the possibility of them b involved in blackmail or conspiracy.

4. Recorded statements from students of the Chhindwara ashran Asaram where the victim had studied, and those of followers ir ashrams at Indore, Ahmedabad, Haridwar, Delhi and Mathura.

5. Reports about those who were claiming to expose Asaram's misdeed

6. Reports on the individuals who were involved in facilitating the me of the victim's family
with Asaram.

7. Recorded statements of the doctors who examined the victim anc accused.

8. Mobile phone of the accused containing pornographic material, w had been in the possession of Shiva, Asaram's guard.

9. Reports containing the registration details linking the Jodhpur ash with the main ashram in Ahmedabad and the ashram in Chhindv This was done in order to establish Bapu Asaram's guardianship these ashrams.

10. The visitors' register from Chhindwara ashram, and records educational institutions from Shahjahanpur and those that are run by Sant Sri Asaram Bapu Trust.

11. Document containing mobile call details of the main and co-acc which included location data. This information was examined analysed to establish criminal conspiracy and the meeting of m before and after the occurrence of the crime. The analysis of the details revealed that the victim's family tried to contact her several t via phone when they came to know about her illness, but the accu Shilpi and Sharad, refused to let them speak with her. In fact, they in constant touch with Asaram through his guard, Shiva, and were ta directions from him.

Investigations concluded that accused Asaram ran a gurukul in Chhindwara, where the victim lived and studied. The victim was influenced by the warden of the gurukul, Shilpi, and her associate, Sharad, who plotted to make her and her parents believe that she was under the influence of some evil powers and that only Asaram Bapu

could cure her.

Asaram hatched the conspiracy to call the victim to Jodhpur and, subsequently, to the kutiya, at his follower's farmhouse in village Manai, 35 kilometres from Jodhpur, and took her in his custody. For this, he was accused of offence under section 370(4), IPC.

The victim was called to the garden in front of the kutiya with her parents after which the parents were separated from her and made to sit in different corners of the garden surrounding the kutiya. Later, Asaram called the victim inside the kutiya and, after closing its doors, forcefully kept her captive, which proved offence under section 342, IPC, against him.

Thereafter, he forced himself on her, assaulting her sexually. He also threatened to kill her family, for which he was accused of offence of sections 354(A), 506, 509, IPC, and because the victim was a minor, he was, therefore, accused under section 7/8, POCSO Act.

Accused Asaram got naked in front of the victim after closing the door of the room. He forcefully removed the victim's clothes, touched her private parts, forced his finger into her vagina and also committed oral sex with her. He was thus accused of the offence of rape, as defined under section 376, IPC.

Moreover, he was the religious guru of the victim's parents and the victim considered him to be a godman since her childhood and had immense trust in him. He was 'person being in a position of trust'. And so, rape committed by him was punishable under section 376(2) (f), IPC.

The victim, who was a minor, studied in a school run by Shri Shakti Trust of which Bapu Asaram was a trustee, so he was also accused under section 5(f)/6, POCSO Act.

The accused, Asaram, hatched the conspiracy with co-accused, Shilpi, Sharad, Shiva and Prakash, to rape her and therefore, they were punishable for gang rape under sections 376(D), IPC, and 5(g)/6, POCSO Act.

Co-accused Shilpi, alias Sanchita Gupta, was warden of the hostel in Chhindwara, where the victim was studying. She initiated the offence in connivance with the accused Asaram and made the victim believe that she was under the influence of evil spirits and could only be cured by godman Asaram. She made her parents believe the same. She conspired with the other accused and ensured that the girl reached the designated place as per their plan.

Co-accused Sharad was also involved in the crime in the same

manner as Shilpi was. Of the hostel of which Shilpi was warden, Sharad held the power of attorney. Therefore, co-accused Shilpi and Sharad were punishable for offence under sections 370(4), 376(D), 342, 354(A), 376(2)(f), 506, 509/34 of the IPC and 5(g)/6, 7/8 read with section 17 of the POCSO Act.

Co-accused Shiva was the main helper of the accused Asaram who called the victim and her family from Shahjahanpur to Delhi and then from Delhi to the main ashram in Jodhpur. He facilitated the victim's entry into the kutiya where she was sexually assaulted. Therefore, he was accused of offence under sections 370(4), 376(D), 342, 354(A), 376(2) (f), 506, 509/34 of the IPC, 109/120(B) of the IPC, and 5(g)/6, 7/8 read with section 17 of the POCSO Act.

Co-accused Prakash was the ashram's cook, and Asaram's confidant and follower of Asaram, who always carried the godman's mobile phone and Asaram used to be contacted on that mobile number. He played the role of the middleman in organizing the offering of the victim to Asaram in connivance with the other co-accused. Therefore, he, too, was accused of offence under sections 370(4), 376(D), 342, 354(A), 376(2) (f), 506, 509/34, IPC, 109/120(B) of the IPC and 5(g)/6, 7/8 read with section 17 of the POCSO Act.

The victim was a minor, studying in the gurukul in Chhindwara run by Shri Shakti Trust, of which Asaram was the main trustee, and it was Asaram who gave the power of attorney to Sharad to run the trust. The girl's hostel warden was Shilpi. Therefore, the victim was completely under their control. When she was found sick, the accused ignored her illness and never took her for any medical treatment. Hence, they were accused of offence under sections 23 and 26 of the JJ Act.

Finally, a detailed charge sheet running into 6347 pages was submitted in the trial court. This Herculean task accomplished, we anticipated that a judgement would not be too far away. But we were wrong. The trial to come our way was going to indeed be a trial, in every sense of the word.

EIGHT

The Trial

On 6 November 2013, we submitted the charge sheet of the Asaram case in the District and Sessions Court, Jodhpur (Rural), against Asaram Bapu, and co-accused Sharad, Shilpi, Prakash and Shiva, under sections 342, 376(2)(f), 376(D), 354(A), 370(4), 506, 509/34, 109, 120(B) of the IPC; sections 5(f) (g)/6, 7/8 read with 17 of the POCSO Act; and sections 23 and 26 of the JJ Act.

Once the charge sheet was put up in court, the Rajasthan High Court issued directions for the day-to-day hearing of the case on 8 November 2013. On 29 November, the court took cognizance. Thereafter, the trial court witnessed the arguments and counterarguments from both the defence and the prosecution on the issue of framing charges. Meanwhile, my officers and I kept track of the events in the court with the help of daily meetings with prosecutors. It was during this period that assembly elections were held in Rajasthan.

After the new government assumed power in December 2013, on 11 January 2014, I was transferred to Udaipur as the SP. Some of my team members who had worked on the Asaram case, too, were transferred to different locations in Rajasthan. Luckily, SHO Mukta Pareek continued to be on the same assignment. Now, transfers are typical in our field of work, especially after a new government takes charge. But in this case, the transfers came with a few disadvantages.

While our charge sheet included all possible evidence, during the course of the investigation, it came to light that there might have been other incidents against Asaram Bapu such as the one he had been accused of. A number of other girls, like the victim, may have suffered the same fate at the godman’s hands, but unlike this brave girl, the others or their respective families may not have found the courage to withstand the

threats by Asaram and his co-conspirators and come out to report the matter to the police or even dare to have had an FIR registered against him.

But as this particular case came into the limelight, the more it began to form a part of TV debates and other media, the situation transformed, somewhat. Families of other girls contacted the Jodhpur police expressing their desire to lodge similar complaints against Asaram in the respective police stations that had the jurisdiction to file them. Unfortunately, however, whenever the police reached out to these individuals personally, they found that, more often than not, the houses of the complainants were surrounded by Asaram's followers. Owing to this, the complainants lost their zeal to file a complaint. The new-found confidence was thus betrayed at the hands of the fear of terrible consequences.

There was a certain pattern to the girls' behaviour that had, in the first place, made us suspicious about the possibility of other similar incidents in Asaram's residential institution. They had all left in the middle of an academic session, sometimes even in the middle of their final school year, before the board examinations, without any logical reason. But again, when our teams contacted some of those girls who used to be at the gurukul in Chhindwara, they told us that they were not in a position to depose before the police and wished to forget the painful memories in connection with the gurukul. However, with the anticipation of getting some more evidence regarding similar cases related to Asaram, which may have further proved that he was a habitual offender, we submitted the charge sheet in the trial court but kept the investigation open. Section 173(8) of the Criminal Procedure Code does allow an investigating officer to continue gathering further evidence of the offence even after putting up the charge sheet in the court, and if any further evidence is found, it can be submitted to the court.

Our decision to keep the charge sheet open was with the intention of fortifying our case further. But I was shocked to discover that following my transfer and that of most of the other members of the team who had been involved in the investigation, this power to collect further evidence was being misused to procure evidence in favour of the accused! This would have resulted in damaging the case for the prosecution considerably. I was informed that all efforts were being made to gather age-related documents of the prosecutrix to prove that she was a major and not a minor as had been claimed by her and as had been documented

in the charge sheet we had prepared and submitted to the court. This had to be stopped immediately. If the lobby that was trying to prove that the victim was not a minor at the time of the crime succeeded in its efforts, it would turn the case on its head and it would no longer be tried under the provisions of the POCSO Act, thus allowing the accused to find and use legal loopholes to escape conviction and just punishment.

Highly concerned about this turn of events, I immediately contacted Mr Biju George Joseph, former Commissioner of Police, Jodhpur, who had been the guiding light for our team throughout the investigation. By then, Mr Joseph, too, had been assigned a new posting. When I apprised him of the developments, his astonishment was clear. On account of such blatant attempts to weaken the case against Asaram, he suggested that we jointly meet the Director General of Police (DGP) of the state and inform him of the irregularities and the ongoing subterfuge.

It was March 2014 when we sought an appointment with the DGP and were delighted to be given an audience with him at such short notice. Mr Joseph and I narrated the entire case to him and explained how every effort was now being made to dilute the case. The DGP listened to us patiently and suggested that it was best we closed the case, and filed a report to that end in the trial court. This would ward off further attempts to distort the evidence gathered thus far. Hereafter, the police informed the court that it wanted to close the open-ended charge sheet as the department did not have any further evidence to furnish in the case. Thus, as much as we had wanted to add more instances of the godman's ludicrous history to allow the charge sheet to gather weight, we had failed to do so. However, fortunately, the intervention had the desired effect and efforts to weaken the case were discontinued.

Rewind a little, and there was also the hiccup with trying to find a special public prosecutor to represent our case during the trial. Since it remains the prosecution's onus to prove its case beyond a reasonable doubt irrespective of the stand the accused takes of being guilty or not, it is crucial that there be a prosecutor who can take a case to its logical conclusion. Moreover, as our case involved the sexual assault of a minor girl, as per the provisions of the POCSO Act, a special public prosecutor would have to be appointed.

One of the other reasons why, when we were about to conclude the investigation of the case, we had made parallel efforts to find able prosecutors to handle the case in the future, was that (as mentioned before) once a charge sheet is submitted in court, the investigating

agency has no role in the proceedings of the case except in producing witnesses and relevant documents in the court as and when the latter calls for it. The investigating agency does remain in contact with prosecutors, but only informally. So, given this and the fact that the outcome of the investigation would ultimately rest solely in the hands of the prosecution, it would have been in our favour to have a dedicated prosecutor representing the state.

In the process, though, I observed that even the regular public prosecutors of the designated court kept changing due to customary transfers and there would hardly be prosecutors who would be present through a single trial. Meanwhile, I began to nurse sincere apprehensions regarding the deliverance of justice soon after the charge sheet was produced, because until the time before my transfer, my proposals for a special public prosecutor kept being rejected on some technical ground or another. To counter any kind of machinations by unknown powers, I decided to put some advocates in the loop. This was before my transfer to Udaipur.

One of them was prosecutor par excellence, Mr Pramod Verma, who had retired as deputy director of prosecution, and who had always been a guiding light for me. He had been in constant touch with me since my induction into the IPS and had also personally guided me in many a criminal case earlier. He was known in the circle of legal luminaries for his honesty and dedication towards his métier. He had, in fact, been the public prosecutor for the department in the infamous Mehrangarh Fort tragedy of 2008, where more than two hundred and fifty people died during a stampede in the premises of the Chamunda Mata Mandir inside the fort (in Jodhpur). I was sure of his commitment, his sharpness and also his steadfastness against any sort of mischievous and extraneous factors that may have been employed to influence him. But Mr Verma's name was not cleared for the post of special public prosecutor because he was more than sixty years of age.

Another choice, Mr P.C. Solanki, who had been introduced to me by his mentor, Mr Verma, was a young and aggressive advocate, well versed with the recent amendments and the various court pronouncements with regard to the penal provisions of various acts associated with the case. Mr Verma had assured me that he would be immune to every possibility of being influenced in the case. Unfortunately, Mr Solanki's name, too, wasn't cleared due to the cut-throat lobbying employed by his own colleagues, who were hankering

for the same job.

On the other hand, the names suggested by the department were not accepted by me, and therefore, no public prosecutor could be finalized until my transfer. And so, in the absence of a special public prosecutor, it would eventually be down to the regular public prosecutor, along with the victim's lawyers, who would plead the case on behalf of the state.

While getting hold of a special public prosecutor was proving to be unsuccessful, my entire team and I kept trying to convince the victim's father to engage an advocate on behalf of the victim. (This was, again, before my transfer.) After much persuasion, the victim's father agreed to do so. Finally, both Mr Verma and Mr Solanki were engaged on behalf of the victim to assist the public prosecutor in the case, and both, in a show of their large-heartedness and empathy for the victim, readily agreed to argue the case on humanitarian grounds against a bare minimum fee. It was heartening to see that there are still people such as advocates Verma and Solanki, for whom human values are more important than any pomp and show. For both of them, justice was the prime motivating factor, but in the case of the young advocate, Solanki, the outcome of the case would be the making of a watershed moment in his career.

However, both the victim's legal representatives were repeatedly threatened during the trial, so much so that the police were compelled to beef up their security for more than four years. The accused tried every means to influence them, but they never fell prey to these relentless efforts to steer them off the course of justice. It was their single-minded devotion and commitment to the deliverance of justice that contributed hugely to the positive outcome of the case.

One would think that with such dedicated lawyers assisting the public prosecutor, things would be easy-going. That was not quite the case. There were innumerable incidents during the trial when it was felt that there was a lack of coordination between the prosecutor and the victim's advocates. Sometimes, the working relationship between the victim's father and his advocates was strained over trivial issues. This was mainly caused by the victim's father being constantly ill at ease about how the entire situation was unfolding. They would bicker over which advocate should argue the case in the high court and the Supreme Court, about why court proceedings were taking so much time, about the

victim’s advocates speaking to the defence lawyers, and also, if the advocates would not, for some reason or another, pick up the father’s calls. Of course, he could hardly be faulted for being this paranoid, since he was not only suffering the trauma of his daughter being assaulted but also being threatened by the supporters of Asaram who were employing every unethical means to intimidate him. Stuck as he was between these two extremely difficult situations, he also had to run from pillar to post to engage advocates in the high court and the Supreme Court to pursue various writs arising out of the conduct of the trial in the trial court. The decisions of the trial court regarding admissibility of evidence were repeatedly challenged in the higher courts and though the government advocates defended the case in the higher courts, too, the victim’s father also had to engage his own counsels there. The government advocates in the high court and Supreme court are politically appointed and therefore, this case was never a priority for them. Sometimes, they would send their junior counsels to attend to the case, but then they would frequently choose to be absent. Therefore, the behaviour of the victim’s father with his advocates was sometimes justified, and must be empathized with. At the same time, however, it could also have proven to be fatal for the case.

At this point, Mukta Pareek and ACP Chanchal Mishra came to the rescue. They remained in constant touch with the victim’s family and their advocates, and many a time, they even took leave from their respective offices to arrange meetings between the lawyers and the victim’s father to resolve any issue over which they were in conflict. If I were asked to give credit for the successful conduct of the trial on behalf of the prosecution, I would, without any hesitation, give it to these two diligent police officers.

It was October 2015, when, following my stint at Udaipur, I was back in Jodhpur as its anti-corruption head. Being back in the city, I, too, was able to facilitate such meetings. I, too, would discuss the progress of the case with our advocates on a weekly basis and provided any support needed by the prosecution.

Meanwhile, the accused, Asaram, had engaged a set of well-experienced advocates who focused entirely on this case, unhindered by other cases.

These were the country's legal luminaries who had been brought on to defend Asaram against hefty fees. Contrarily, one may well understand the pitiable situation of the public prosecutor, who, with a limited support system in terms of manpower and other logistics, had to deal with our case alongside the many other routine cases the court assigned him. In such a scenario, the work of our team of investigators proved to be crucial, for it was imperative for them to have built a foolproof case for conviction at the time of filing the charge sheet.

Asaram's advocates were trying to get him bail from different courts in the hierarchy. This process had, of course, started much earlier than the trial.

During the investigation, in fact, on the day immediately following the arrest, when we produced the accused for police custody, K.K. Manan, a renowned advocate, appeared in court to argue against the arrest, as also to argue for the bail of Asaram and the other accused. Eminent lawyer, the late Ram Jethmalani, also pressed for bail for Asaram twice in the high court, basing his insistence on the medical report. He argued that in this case, the victim's medical examination had been done before the registration of the FIR and it had not revealed any penetration. At the time, the charge sheet had not been submitted in the trial court. Therefore, the investigating officer, ACP Chanchal Mishra, along with the Additional Advocate General, had to respond to the point raised in the high court. The argument the prosecution offered was that 'proof of penetration is not essential under the new definition of rape, described in the amended section 375 of IPC.' The bail application was rejected by the Hon'ble High Court.

During the course of this trial, Asaram's bail applications were rejected twelve times: six times by the trial court, three times by the high court and three times by the Hon'ble Supreme Court, although very senior and learned counsels such as Ram Jethmalani, Salman Khurshid, Soli Sorabjee, Raju Ramachandran and Onkar Singh Lakhawat, among others, appeared on Asaram's behalf. During the trial, famous advocates from the high court and Supreme Court, such as Mahesh Boda, Sidharth Luthra, Shokat Ali and Sajjan Raj Surana, represented Asaram and due to their interventions, the charges could only be framed by the court in February 2014 and that, too, when the high court directed the trial court to hold day-to-day hearings.

There were fifty-eight prosecution witnesses (we had recorded the statements of all those who were coming forward to depose), including

nineteen police officers, but the court allowed only forty-four of them to be examined. The court deemed the remaining to be irrelevant. The prosecution's examination of the witnesses began on 19 March 2014.

Arguments for charges went on for a few months despite the fact that the hearings were held on a daily basis in compliance with the high court order passed on the writ in this case. The advocates on the part of the defence changed quite a few times during this initial part of the trial in the hope that the defence could at least succeed in having a few of the charges against the accused dropped. But kudos to the Additional Director of Prosecution, Mr Rajulal (who would later retire), who fought vehemently to defend the charges, they were not able to do so.

Once the arguments on the charges were over, both the sides waited for cognizance by the court. Prosecution scored the first victory when the court took cognizance of all the sections of different laws under which the accused, Asaram, and the co-accused had been charge-sheeted. Once the court took cognizance, it was the turn of the witnesses to be examined. I wouldn't know about the process in other countries, but it is probably the toughest to be a witness under the Indian criminal jurisprudence. To be a witness here is a harrowing experience in the face of the questions hurled at one by defence lawyers.

Earlier, our team of investigators had sat together with the public prosecutor and the advocates of the victim and chalked out a strategy for the examination of our witnesses. This process began ever since the charge sheet was finalized; sometimes in the office of the public prosecutor, sometimes at his residence, and many a time, at the Women's Police Station. We had decided beforehand the sequence in which the witnesses were to be called for examination. It is the prerogative of the prosecution to decide the order. Even the minutest of details were covered, as also the probable questions that could be asked by the defence of the witnesses. After preparing the list of questions that could be asked by the defence, the prosecutor was in a position to judge which witness was at the risk of faltering when trying to answer which kind of question. To counter this, he prepared the sequence of witnesses in such a fashion that if any witness did commit a mistake upon examination, the wrinkle may be ironed by the next witness in line. By asking him or her those same questions which had been posed to the witness who'd been on the stand earlier, the prosecution itself would clear doubts that would have been created earlier.

I was aware that the prosecutor and advocates were burning the

midnight oil to make such preparations, and then spending the day discussing these details with my team. Sometimes, it would be quite irritating because our prosecutor, along with Mr Verma and Mr Solanki, would go into such detail as I had never encountered in the witness box in my career.

Then, in January 2014, as mentioned previously, I, along with most of my team, was transferred in accordance with the routine transfer list. Our public prosecutor, Mr Rajulal, also retired, and our efforts to get him an extension for this case were in vain. The new public prosecutor, Mr Pokhar Lal Vishnoi, was a prosecutor assigned to this court and, again, in the absence of a special public prosecutor, he became the only choice with whom to proceed in this case. Mr Vishnoi was helpful, and felt empowered and honoured to be associated with this high-profile case. SHO Mukta Pareek was the one coordinating between the new prosecutor and the advocates of the victim. Her husband, Satyaprakash, previously a team member in the investigation team, was a good friend of the new public prosecutor and used his influence to brief and sensitize him about the significance of the case.

The prosecution tried to speed up the trial by producing witnesses on time in the court, examining them swiftly within a day or two, and limiting the cross-examination of witnesses produced by the defence to no longer than the time period required. The defence advocates, however, kept prolonging the trial for reasons best known to the accused Asaram himself. Witnesses called by the defence rarely turned up on the initial dates of hearing assigned to them and then their lawyers kept their examination on for days on end. The prosecution witnesses, too, were cross-examined by a battery of lawyers for months. The examination and cross-examination of all the witnesses lasted for more than three years. The victim was cross-examined for twenty-seven days, her mother, for nineteen days, her father, for eighteen days and the investigating officer, ACP Chanchal Mishra, for several months. When I say months, I'm not including the holidays and Sundays. There were several reasons for the delay. Sometimes, either the prosecutor or the judge would be transferred, witnesses wouldn't turn up on the appointed dates, some witnesses changed their loyalties, and sometimes, the victim's lawyers would be unable to continue without a fee. As time passed, there was also the problem of the witnesses' memories of events becoming unreliable.

Once Asaram was arrested by the Jodhpur police, a few days later,

the Surat police issued arrest warrants in the names of both the godman and his son, Narayan Sai. A case of alleged rape had been registered based on the complaint of two sisters. The incident apparently took place when they were residing as disciples of Asaram at his ashram. They left the ashram because of the incident, and came forward to lodge an FIR only after Asaram's arrest in Jodhpur. And as it happened, as the trial progressed, the witnesses in both the cases came to be attacked. An acid attack was made on Dinesh Bhagchandani, which was followed by an attack on Rakesh Patel and Arvind Vajpayee – witnesses in the Surat case. The attackers were arrested later by the Surat police. Under such circumstances, the presentation and examination of the victim's testimony, her being the most important prosecution witness, began only from 11 April 2014. The prosecution took around ten days to examine the victim in the stand. But then a long, exhausting and humiliating cross-examination by the defence continued for over twenty days, where the victim was asked every detail related to her family, her school life, her age and her boyfriends. Most disturbing was the painstaking cross-examination around the sexual assault.

It was during this period, on specifically 23 May 2014, that one of our important witnesses, Amrut Prajapati, was shot in Surat. He would succumb to his injuries. Prajapati was one of Asaram's followers, who had stayed in his ashram for years. However, in 2012, he left, later claiming that it was Asaram's immoral activities that had propelled his departure. Following the registration of the FIR in Jodhpur, Prajapati started giving interviews to the media, alleging that the godman had been involved in similar crimes for many years and that he himself had witnessed him doing so. Though he was not directly relevant in the Jodhpur case, we had recorded his statement. It would speak to Asaram's character.

Prajapati's death left us shocked to the extent that it unsettled the equilibrium between the prosecution, witnesses and police officers. But the victim was undeterred. Judging by her response to the questions, she appeared to be intelligent, composed and much more mature than the other children of her age. When cross-examined, she was very clear about the facts because she was speaking the truth. There would be times when she would feel low and lose her patience, given the duration of her inquisition at the hands of the defence lawyers and because of their behaviour towards her. But then, Chanchal and Mukta would console her, requesting her to retain her faith in the justice system. Chanchal

would tell me later, that that every time she'd meet the victim, she'd find her stronger than before; she was a real fighter. We would never have had the verdict in our favour if she would not have been so strong and truthful despite being put repeatedly on the stand for more than a month.

After her came her parents' turn. Their examination in court lasted until January 2015. During the entire trial, everyone involved with the prosecution felt the family's grief deeply, but their patience impressed everyone. The entire family was paying heavily for one man's wrongdoing. The cost was physical, mental, financial and spiritual. They owned a few heavy-duty trucks and used to run a small-scale transport business from a tiny office-cum-shop in Shahjahanpur. They were not only threatened, terrorized and intimidated by the attacks on the witnesses, but their business was ruined and the family ran out of money. Yet, neither did they back down nor did they reach any kind of compromise with Asaram.

Apart from the victim, Mukta, too, was on her toes for more than a month. Being the SHO of the police station where the case was registered, she was examined and cross-examined for thirty-seven days. Moreover, being the only officer to remain in Jodhpur after the transfer of the rest of the team, she had to coordinate between the prosecutors and the witnesses.

The witness who was grilled the most by the defence lawyers was the investigating officer, Chanchal. She was cross-examined repeatedly for more than eleven months – from 29 July 2015 to 11 July 2016. Her normal police work suffered due to this and her regular assignments in her other district – Bhilwara, where she had been transferred as the Deputy Superintendent of Police (DSP) of the Mandalgarh subdivision – could only be completed by her on Sundays and other holidays when she was free from being examined in the court. Her cross-examination by the defence was completed only when Asaram went to the high court, requesting for bail on the grounds that the trial had been going on in a manner that there seemed to be no end to it. The government advocate argued that the delay was being caused by the accused himself as was evident from the fact that the investigating officer of the case had been on her feet in the court for cross-examination by the defence attorneys for ten long months. The high court took cognizance of this fact and only because of this assertion by the prosecution did the defence complete her cross-examination the following day, i.e., on 11 July 2016.

The followers of Asaram also attempted to kill two of our other

witnesses. An attempt was made on prosecution witness Rahul Sachan's life, on 13 February 2015, when he was exiting the court during trial. He survived the attack, but later went missing in November 2015. He has not been found since.

The terror did not stop there.

Another prosecution witness, Mahendra Chawla, too, was shot at in Panipat, but fortunately, he survived and was able to record his statement before the court. On 10 July 2015, we came to know that Kripal Singh Thakur, prosecution witness no. 17 in the case, was shot dead in Shahjahanpur, where the victim and her family resided. It was distressing, to say the least, because he had been killed after his examination in court was over, when he was not in a position to affect the case at all in any way. Such incidents led some of the witnesses to fear that everyone who deposed against Asaram would eventually be killed, irrespective of whether their testimony was recorded in court or it was pending. I personally spoke to the remaining witnesses. A few of them were assured by the local police upon my request. Mukta Pareek would herself accompany them to the court premises.

The attackers were later arrested by the Jodhpur police and verified to be supporters of Asaram. As the investigation revealed, anguished over their Baba's incarceration, they were driven by the sole motive to avenge Asaram's arrest and also to create fear in the minds of other witnesses associated with the case.

We knew that the defence would try their best to shatter the character of the victim. And true to our anticipation, of the 38 witnesses produced in court by the defence counsel, a few did point towards the minor being of a disreputable nature. In that light, the testimonies of the witnesses we produced were crucial. Although we knew that factual evidence was of paramount importance, the testimonies would, we expected, help to build Asaram's character in the eyes of the judge. They would also help combat the lack of solid scientific evidence in the case.

There were three main contentions of Asaram's defence lawyers:

1. The medical report

The old legal definition of rape required medical proof of penetration; its absence would create reasonable doubt in the eyes of the law in the case.

Thus, throughout the trial, Asaram's lawyers continued to claim that the offence or rape had not been committed as there was no medical proof of vaginal penetration. Most people, even senior officers of the police department, were classifying it under section 354 of the IPC which deals with sexual harassment. But in the light of what the victim had described of her experience, applying section 354 of the IPC was not enough. Lawmakers had amended the definition of rape in the newly added section 375(C) of the IPC with the intention to include sexual assault of more varied forms than ones with just vaginal penetration. According to the section, any person is said to commit rape if that person manipulates any part of another person's body with the intention of causing penetration into the genital, urethra, anus or any part of the body of such person or makes that person do so to them or any other person. So it follows that sexual intercourse is not a compulsory or necessary element in a sexual act without consent, to be covered under the definition of rape. Foreplay with the victim's body could, therefore, be considered as an offence of rape. Hence, section 375(C) of the IPC was clearly applicable to this case. As this incident came under the definition of rape under this section, we succeeded in proving that it was to be considered as rape.

2. The victim's date of birth

Asaram's legal team claimed that there were discrepancies in the age records of the victim. In this regard, my investigation team had collected documents from two schools. The first was the Asaram Gurukul at Chhindwara in Madhya Pradesh, where she had been studying since the seventh standard. Her matriculation certificate and the documents issued by the school reflected a date of birth that proved that she was a minor. Aside from this, the records from her first school, where she was admitted in the second standard, at Shahjahanpur, were also collected. These, too, showed the same date of birth.

On this point, Asaram's defence team started to grill the investigating officer and claimed that she had not collected the records from the girl's first standard deliberately. To this, the investigating officer referred the documents collected from her first school and made it clear that she was admitted in the second standard instead of the first because the school admission panel had found her to be intelligent and thus suited for that standard during the interview process. All of this was on record.

At this point, the defence produced documents from some preschool run by some other godman, claiming that the preschool was the victim's first school and that the date of birth written there was indeed the correct one. They claimed that the investigating officer had excluded that from the records presented to the court on purpose. To this assertion, the prosecution pointed out that, as per the provisions of the law, preschool records were not required to be admitted in court. Further, that according to Rule 12 of JJ Rules 2007 (which clearly lays down the law of establishing the date of birth of a minor for criminal proceedings), in case of any dispute regarding age, the matriculation certificate was considered as the first proof. In the absence of a matriculation certificate, the law required a certificate issued by the first school, excluding the preschool, which is what we had collected.

During the trial, to claim the discrepancy in the age records, the defence put up a number of petitions to call upon various records about the victim's family, but these were rejected by the trial court. Later, however, the Supreme Court allowed them. And so, the family were asked to produce records of the ration card, the victim's brother's driving licence and his birth certificate from the hospital, and an insurance policy bought by her father for the family. The policy supposedly pegged the age of the victim higher than the one the matriculation certificate mentioned. The plea, however, did not stand in court and instead, a case of fraud was registered against the agent who sold the policy. Thus, we were able to prove beyond reasonable doubt that the victim's date of birth was as stated in the records, and also, most importantly, that at the time of incident, she was a minor.

While we are discussing the matter of the victim's age, there is something that occurred during the trial around the time of the final argument that I recall even today. To this day, I wonder how our prosecutor could have made this mistake, no less than a blunder, in fact. As has been laid out above, the prosecution's case, to a great extent, hinged on the evidence that proved that the victim was a minor. One's age can be determined by various documents, and the Supreme Court, too, by pronouncing various judgements, has clearly enumerated which document is more relevant than the other. When it comes to verifying age, of all the documents which can be used to ascertain age, the matriculation certificate is ranked first in terms of priority. During the investigation, Sub-Inspector Nitin Dave obtained the victim's matriculation certificate and submitted it to the chief investigating

officer, ACP Chanchal Mishra. He also took the statements of the concerned persons, who were responsible in the board of education, in preparing this document. The statement of the school principal, who had finally handed over the certificate to the victim, too, was taken on record. When this document was exhibited in the court, the prosecution examined Dave about the process of procuring the same, but never asked him about the date of birth written on the document. Moreover, the prosecution never confronted the victim or her father during the time of recording their testimonies about the date of birth mentioned in this matriculation certificate. The defence, too, deliberately, or so it seemed, avoided the question about this fact at the time of the cross-examination. I say 'deliberately', since if the date of birth in the matriculation certificate is not validated, then the documents produced by the defence relating to the victim's age, such as her preschool certificates, could speak to the victim being a major.

As per the provisions of the Indian Evidence Act, 1872, this was a big mistake: for until the fact written in the document is not read at the time of its production in front of the judge, at the time of its admission, the judge is not bound to read the fact. And we came to know about this at the time of the final argument. The public prosecutor moved an application to recall the witness to rectify the mistake, but that application was rejected by the trial court. Between Dave's first appearance and this application, more than a whole year had passed. Meanwhile, the defence produced a few documents, such as insurance documents and admission records from the victim's preschool, showing her to be a major, i.e., above eighteen years of age at the time the offence was committed. These documents could not, however, be relied upon by the court since the individual who was supposed to validate the preschool age certificate was never produced in the court by the defence, as he himself had dubious credentials.

The provision of the Indian Evidence Act mentioned above, while only stating that the court is not bound to read such contents of the document, does not, on the other hand, restrict the court from reading them. I would consider it serendipitous for us that in this case, the learned judge decided to study the entire charge sheet as well as the documents submitted therein to take cognizance of the age-related documents submitted by us, even though the public prosecutor did not point out to him the relevant documents submitted as proof of the victim's age at the time of the arguments. Once he had done so, there

was enough evidence on file to support the claim of the prosecution in favour of the fact that the girl was a minor.

Such were the complexities in this trial. And so, one has to prepare the charge sheet diligently, clearly indicating in it which document serves which purpose and will prove what, and which document will be exhibited by whom. Many such questions about the way the evidence was to be scrutinized in the court of law were pondered upon even at the very beginning of the investigation. A few criminal lawyers of repute were informally involved in the discussions during the investigation itself. Mr Verma was of great assistance at the time of formulating the charge sheet, which saved the case during the court proceedings.

3. The call records

During the investigation of the case, we had collected the call records of Asaram, Sharad, Shilpi, Shiva, Prakash and the victim's father to prove the conspiracy involved in the crime. The defence team claimed that the call records did not necessarily mean that Sharad, Shilpi, Asaram, Shiva and the girl's father were talking about the girl when the calls were made.

The prosecution pointed out that in the months of May and June of 2013, there were no calls between Asaram and Sharad. In July, when the school opened and Shilpi took charge as the warden of the girls' hostel, there were a few calls. But between 6 and 15 August 2013 there was a sudden spike in the number of calls exchanged among Sharad, Shilpi, the victim's father and Asaram. On 6 August 2013 specifically, the victim complained of a headache and the entire drama of her suffering the effect of an evil spirit unfolded, leading up to the incident that took place on 15 August 2013. ACP Chanchal Mishra illustrated in court the entire story of the calls exchanged between the many actors through a line diagram, so that it could be grasped easily by the listeners. Otherwise these records, running as they did into hundreds of pages, would have been confusing. The hours at which the calls were made, and the locations from where they were made, were corroborated by the testimonies of the victim and her father. The pattern of exchanges that emerged was telling. But despite our best efforts, we knew this was circumstantial evidence, since there were no witnesses who had heard the conversations or seen the phone calls being made.

In the context of the phone calls, there was another hurdle. The SIMs

that the accused and co-accused were using for making the calls were not registered in their names. To overcome this, we had taken statements from the individuals in whose names the SIMs were originally registered. Unfortunately, that came to naught, since being diehard followers of Asaram, these people turned hostile during the trial. Therefore, the call records remained in the purview of reasonable doubt. But in that scenario, oral and circumstantial evidence proved the conspiracy. At each and every point, the investigating officer was cross-examined repeatedly and for this reason her examination was finally over in about a year's time.

For the investigating officer, that whole period was a trial in itself. She could never have perhaps imagined that the one-day interrogation of Asaram in police custody by a team of investigators, in which she herself was not involved fully as she was preoccupied in compiling papers on the case file to be submitted the very next day at the time of producing Asaram in the court, would lead to such an ordeal for her. That she would have to withstand a whole year's worth of cross-examination in court. Many a time, the defence lawyers tried to provoke her to create chaos in the court, but she remained calm. At other times, she was also threatened and told that Asaram would be acquitted and that she would be sued with a defamation case which would result in destroying her career and life. There would be moments when she would be restless. Understandable, since this was only her first posting and she did not have much experience with court proceedings; she had never faced a cross-examination in a trial before. Whenever she felt low or like a prisoner of the circumstances, she would call me or the then commissioner, who was our mentor, and we would guide her, asking her to have patience and to, in trying times, remember the face of the girl for whom we all were fighting to get justice.

The examination and cross-examination of prosecution's witnesses lasted for two years and five months, of which a substantial amount of time was spent in Asaram's lawyers cross- examining witnesses. After that, the defence team presented thirty-eight witnesses and 225 documents to invalidate the victim's date of birth and to prove Asaram's presence in an engagement ceremony at the time of the incident.

With the help of the public prosecutor, Mr Verma and Mr Solanki cross-examined these witnesses meticulously and intelligently, and shattered the accused's defence at large by their wit and knowledge of law. Those who observed Asaram during the various stages of the trial

never saw him express any remorse and regret. All he did was make political statements. His followers, too, maintained their faith in his innocence throughout the trial and created a commotion all over the country. They would wait, in long queues, to catch a glimpse of him when he would be taken to court from prison. Every full-moon day (poornima), many of his followers would assemble in front of the jail premises for his blessings. In order to ensure that his followers did not return dissatisfied, the jail administration would have to pour a bottle of water, supposedly touched by the godman, into the water tank located outside the premises for his followers to drink.

Except Mukta, the officers who were there for the follow-up post the investigation, were new. Yet, they handled the fallouts of this case as if this case was their own. They were as invested in the case as was the team that began looking into the allegations. Each and every day, adequate police force was deployed for taking the accused persons to the court and bringing them back to prison. The supporters of Asaram would try to force their way ahead in order to get a glimpse of their godman and such a congregation on the road created problems for the local citizens, as it also prompted a confrontation between them and the police. But such are the games of the criminal justice system. For the poor to get justice is difficult, to say the least, unless the entire agency associated with the system works in the interest of justice.

Immediately after the commencement of the Asaram trial, when the Hon’ble High Court of Rajasthan (Jodhpur) decided on a writ petition and ordered for the trial to be held on a daily basis, everyone associated with or interested in the case thought that the decision on it would be arrived at in a few days for everyone to see. But things don’t always work out as expected. The trial, which began in November 2013, went on until March 2018.

There was a delay at every stage of these proceedings. Every legal loophole available to the accused was used, every legal remedy manipulated to his advantage. At least, that was the intention.

Then, there were the applications. Various types of applications can be filed by the defence and the prosecution to strengthen their respective arguments. Sometimes, they are related to the change of counsels, sometimes admissibility of evidence, and sometimes, even to the jurisdiction of the judge to decide on an application. On many occasions,

in this case, the advocates would appeal against a decision made by the trial court through some application in the high court and Supreme Court. But until these writs were decided upon, there would be no concrete progress in the trial. This, despite the fact that the trial court sat daily to at least conduct other parts of the trial that were not affected by the respective writs in the higher courts. Many a time, Asaram wouldn't appear in court due to some ailment or another. He managed to forge a document in connivance with the jail authorities that showed him in poor health in order to procure bail. This was later challenged in the Supreme Court. Later, a criminal case was registered for this forged document in Jodhpur and a few people were also arrested for it.

Then came his alibis – innumerable and varied alibis, every possible alibi that he could think of. The original public prosecutor retired during the course of the trial and new public prosecutors (such as Pokhar Ram Vishnoi) were appointed. The accused kept changing his defence counsels frequently. It was only the advocates representing the victim, Verma and Solanki, who remained constant through the trial. They helped preserve a sense of continuity.

There were the other usual reasons of delay too. Absence of advocates on the dates of the hearing, them being busy with hearings of their cases in other courts, strikes in courts, judges on leave, witnesses not turning up on the decided dates, counsels of both sides asking for additional time (sometimes days) to examine witnesses, accused not produced in the court due to the absence of police guard, and sometimes the accused being absent in court due to health reasons. And four long years passed.

That the judge would take a reasonable amount of time to write and deliver the judgement was only to be expected. This was also the time, just before the summer vacations, when, generally, the transfers take place in the judiciary. One of the several criteria as part of the policy for transfers in the judiciary is the tenure of the judge. In this case, the judge who had seen through the Asaram trial had completed his tenure in Jodhpur and the accused and his defence counsels were absolutely certain of his transfer. A new judge would have to conduct court proceedings again for the final arguments of the prosecution and the defence, which would have led to the trial being extended by a few more months. Moreover, the new judge may not be as well versed with what had happened during the examination and the cross-examination of the witnesses when the trial was conducted, as the one who had been present

during the proceedings.

Without a doubt, we were anxious. The only ray of hope was the convention in the judiciary according to which, if, when the trial is complete and final arguments over, the only thing pending is the judgement, then, generally, the presiding judge is not transferred as per routine transfer policies. Instead, he is given the opportunity to stay on until the pronouncement of the judgement.

It was a great relief when, finally, the transfer list of the judiciary in the state was declared, and the Judge, Special Court (POCSO Act), Jodhpur, was not on the list. It seemed like we were nearing the end of a long battle. On the following day, the judge announced the date of judgement as 25 April 2018.

The excitement in the public and among the followers of Asaram was palpable, the anxiety in the administration at its peak. It was not without reason. While law and order had been maintained at the time of filing the FIR, during Asaram's arrest (in August 2013) and even during the trial, it felt like it was again a testing time for the Jodhpur police. There had been incidents in the recent past that were enough cause for concern for every well-meaning police officer.

Violence had erupted all across Haryana when the Dera Sacha Sauda (DSS) chief, Gurmeet Ram Rahim Singh, was convicted of rape on 25 August 2017 by the special CBI court. According to the revised gist of losses and claims, the violence had cost Haryana an amount of Rs 126,68,71,700. A 16 January 2018 report in *Times News Now* mentioned that Ambala incurred the maximum loss of Rs 46.84 crore. Once Gurmeet Ram Rahim was convicted, violent mobs took to the streets and damaged public and private property. Thirty-six died in the violence that erupted after the conviction of Gurmeet Ram Rahim in Sirsa and adjoining areas in Haryana.

Supporters of the controversial, self-proclaimed godman, Rampal, clashed with the might of the security and more than two hundred people, including security and media personnel, were injured in the violence when he was arrested in November 2014 by the Haryana police on the charge of contempt of the Punjab and the Haryana high courts. As mentioned in the 19 November 2014 *India Today* report, six died in a violent stand-off and Haryana had to call in the paramilitary forces from the centre to control the violent mobs.

Similar incidents had happened in the past, too, in various parts of the country whenever any self-styled godman had been arrested – such was

their influence, such the depth of people's faith in them. The concern and anxiety in the minds of police officers in Jodhpur were, therefore, hardly surprising. Though I was not a part of arrangements made this time by the Jodhpur police, being posted in Jodhpur, I was aware of developments on the part of the police bandobast.

When the judge announced the date of judgement, the Police Commissioner of Jodhpur, Mr Ashok Rathod, called me for a meeting. In the department, he was known for his sense of discipline and punctuality. He was also known for limiting his discussions only to a 'need to know' basis. When I met him, he posed a plain and simple question to me.

'Do you have any inputs about the ruckus Asaram's supporters may be planning?'

'Yes, sir,' I replied. 'I have come to know from my sources that his supporters are going to cause disturbances in the city if the judgement is not in his favour.'

'Do you feel the judge's security should be enhanced?'

'Sure, sir, his security is of prime importance now,' was my response.

When, after we had had a cup of tea and discussed other matters not directly relating to the case or police work, I prepared to leave, Mr Rathod said to me, 'Thank you. Keep me informed about anything of significance.'

I assured him of my support and walked out.

The judgement date was still fifteen days away. I observed the developments and the professional manner in which the Jodhpur police prepared for that day. The security of the judge was upped. A permanent police post was established outside his residence, a police escort was provided for his daily movements, and plain-clothes sleuths from the intelligence branch were deployed for his security. The security of the advocates of the victim was also enhanced.

Meanwhile, a fresh reply was submitted in the court in connection to a writ to transfer the trial of Asaram from the trial court to the jail premises, which had been pending in the high court since 2016. It detailed the suffering of the common citizen due to the presence of Asaram and his supporters at the time of the trial, and forewarned that on the day the judgement would be pronounced, these supporters may go berserk and cause disturbance. The cost to the public exchequer was also highlighted in the fresh reply. Fortunately, on 17 April 2018, the police

was successful in getting a judgement from the high court in favour of the pronouncement of judgement in the jail premises itself. This judgement itself helped in addressing most of the police's security and safety concerns.

Next on the agenda were a series of arrangements for that day. Police checkposts were established around the city to check the movement of his followers. The railway police was kept on alert to identify movements of Asaram's supporters in trains leading to the city and orders were issued to detain them at the station, away from the city.

Hoteliers and guest house managers were asked to inform the local police if they had any bookings for rooms by Asaram supporters. Even the city bus unions and taxi unions were briefed to inform the police control room if they spied any Asaram supporter(s).

Extra police force was also deployed for a show of strength and the media was briefed to showcase the preparedness of the police. All this worked so perfectly that on the day the judgement was to be pronounced, not even a single supporter of Asaram could be seen in Jodhpur, in the vicinity of the court or near the jail premises.

NINE

The Judgement

JODHPUR
25 April 2018

The fateful day had arrived. It was a day that my team and I had been waiting for since we concluded our investigation in the case and had submitted our charge sheet to the court. The judgement was going to be a validation of the proof that we had collected against Asaram and his helpers. It would be a vindication of sorts for us. We were both eager and anxious to hear the pronouncement of the judgement.

We were, of course, not the only ones who were waiting to hear the judgement. It was an eager wait for the victim, her parents, the prosecution, the defence, Asaram, his supporters, the co-accused, and, in fact, the entire nation. Would the high-profile godman be convicted for his crime or would he get off scot-free? – was the question on everyone's minds.

The national and local media were no different. It would not be incorrect to say that it was in an overdrive. The judgement in the high-profile case of Sant Asaram Bapu was, after all, prime-time content for them. In fact, the national media began its coverage of the whole episode a day before the judgement and Jodhpur was thronging with journalists from across the country.

Heading as I was the anti-corruption wing of Jodhpur division at the time, my office was in the vicinity of the court and jail premises. So, although I was not in the police department any more, I decided to take leave from office that day and remain at home, hooked to the television screen. I also remained in contact, over phone, with the police officers in the field with whom I had worked earlier and they kept updating me about the proceedings after short intervals. Sub-Inspectors Mukta

Pareek, Madan Beniwal and Amit Sihag, who were a part of the investigating team, were also present in the jail premises, as they had continued to have a posting in Jodhpur.

JODHPUR
25 April 2018

The morning of 25 April 2018 saw the learned judge being escorted to the jail premises by a police team for the deliverance of the verdict in the case that had been inordinately delayed. Everyone was sent outside the court chamber in the jail premises except the five accused, the prosecutor, the victim's advocates, and Asaram's counsels.

But bits and pieces of information started coming out from 11 a.m. onwards. We heard on the grapevine that Asaram, Sharad and Shilpi had been found guilty and convicted, while Prakash and Shiva were found not guilty and acquitted.

The judgement ran into 453 pages and dealt upon the evidence collected by the investigating agency and the churning of this evidence by the defence counsels. The concluding remarks in the judgement read as follows:

> Accused SHIVA @ Sawaram: To link accused Shiva with criminal conspiracy.
>
> The evidence produced is that when victim's father asked Sharad about the whereabouts of Asaram, he said that it will be told by Shiva. When victim's father called Shiva, he told that Bapu would come to the Rajoria ashram in Delhi on 12.08.2013, and that he should reach there. Later, Shiva called back and asked the father to come on the 11th of August itself.
>
> On the11th , the victim, her father and her mother reached Delhi. When they contacted Shiva after reaching Delhi, he told them that Bapu was in Jodhpur and that they should go to Jodhpur. When the family reached Jodhpur on the morning of 14th August, Shiva called them and asked them where they were. When the family reached Manai in Jodhpur, they called Shiva again to request him to open the gate of the Manai Ashram. Therefore, in the whole scenario, the victim's father was asking

Shiva about the location of Asaram. Even the call details don't reveal that Shiva was in contact with accused Shilpi or Sharad who criminally conspired to send the girl to Asaram. Moreover, Shiva was not directly in contact with Asaram; he was in contact with Sharad and that Asaram used the phone of Sharad has not been proved by prosecution. The video clip which has been seized from Shiva's mobile phone shows Asaram putting his hand on the head of a woman and touching the cheek of another woman. He is throwing water by hand on the women and the men, who are standing with their mouths open. The prosecution witness deposed that this behaviour can't be said to be immoral or inappropriate, so the video clip found in Shiva's mobile doesn't indicate that the accused, Shiva, used to arrange meetings of women with Asaram for immoral purposes. Therefore, the prosecution has completely failed in proving that Shiva was a part of any criminal conspiracy hatched to procure the victim to supply to Asaram for sexual exploitation or he was involved in any type of help tendered to the accused for his commission of such offence. Because prosecution has not been successful in proving any offence under which he has been charge sheeted, he is exonerated from all the accusations against him.

Accused PRAKASH: The prosecution claimed that Prakash was the cook and personal help of Asaram, who carried the mobile phone of the accused, and that he coordinated the conspiracy with Shilpi, Sharad and Asaram.

He was present near scene of crime at the time of the incident. He sent back the mother and father of victim from the scene of crime, facilitated the offence, and became part of the gang to fulfil the common object of sexual exploitation. But the prosecution failed to prove that the mobile phone in the custody of Prakash was used by accused Asaram. Even the victim has testified that when she, along with her parents, went near the kutiya, Prakash asked her parents to sit near the path in the middle of the garden. Asaram asked Prakash to provide milk to the mother and the father of victim. She further testified that when she came out of the kutiya, she found Prakash sitting at the same place in the front corridor of the kutiya. Even victim's mother states that Prakash offered them milk and later, he asked them to go and sleep if they were feeling sleepy, but she refused his suggestion to go back and

said she will return with her daughter when she comes back from the back of kutiya. So, Prakash performed two acts; one to offer milk to the parents of family, which is not a criminal act, and secondly, he asked the mother and the father of victim to go and sleep if they felt sleepy as it was too late. When Asaram asked the victim to go and see what her mother and father were doing, she came out from the backside of the kutiya. Prakash asked her where she was going and told her that he had asked her father and mother to go and sleep. She saw that her father was not there and had gone to sleep but her mother was sitting there. So, it can't be said that Prakash insisted on sending her parents away from the kutiya. Therefore, there is no evidence to link accused Prakash with the offence of criminal conspiracy to commit sexual offence on the victim. Prosecution has not been successful in establishing Prakash as a part of any common intention to hatch criminal conspiracy with the other accused of the case, so he is exonerated of all the charges levelled against him in the charge sheet.

Accused ASARAM, SHILPI @Sanchita and SHARAD CHANDRA

Evidence against accused Shilpi and Sharad is almost of similar nature. Accusation against them is that they created such a circumstance by creating fear of evil powers in the mind of victim and her parents and forced them to believe that it can be cured by Bapu Asaram only and finally persuaded them to go and meet Bapu because Bapu had called. When they reached Bapu in Manai at Jodhpur and when he saw her, Bapu Asaram addressed her saying, *'Achha toh tum hi ho woh ladki gurukul wali, bhooto wali ladki'* (Oh good, so you are the girl from the hostel who is under the control of evil powers). This shows that Shilpi and Sharad had sent this information well in advance to Bapu Asaram, that the girl and her family were coming to him. Therefore, they were in criminal conspiracy with accused Asaram and working with common intention. It is pertinent to quote section 370 of IPC – trafficking of person:

(1) Whoever, for the purpose of exploitation (a) recruits, (b) transports, (c) harbours, (d) transfers, or (e) receives, a person or persons, by –

First – using threats, or
Secondly – using force, or any other form of coercion, or
Thirdly – by abduction, or
Fourthly – by practising fraud, or deception, or
Fifthly – by abuse of power, or
Sixthly – by inducement, including the giving or receiving of payments or benefits, in order to achieve the consent of any person having control over the person recruited, transported, harboured, transferred or received, commits the offence of trafficking.

(2) Whoever commits the offence of trafficking shall be punished with the rigorous imprisonment for a term which shall not be less than seven years, but which may extend to ten years, and shall also be liable to fine.

(3) Where the offence involves the trafficking of more than one person, it shall be punishable for a term which shall not be less than ten years, but which may extend to imprisonment for life and shall also be liable to fine.

(4) Where the offence involves the trafficking of a minor, it shall be punishable with rigorous imprisonment for a term which shall not be less than ten years, but which may extend to imprisonment for life and shall also be liable to fine.

(5) Where the offence involves the trafficking of more than one minor, it shall be punishable with rigorous imprisonment for a term which shall not be less than fourteen years, but which may extend to imprisonment for life, and also shall be liable to fine.

(6) If a person is convicted of the offence of trafficking of minor on more than one occasion, then such person shall be punished with imprisonment for life, which shall mean imprisonment for the remainder of that person's natural life, and shall also be liable to fine.

In respect of this, the victim testified that she studied in class 12th

in the Chhindwara ashram and her younger brother too studied there and stayed in the boys' hostel. On 2–3 August 2013, she felt anxiety and almost fainted in the hostel of the school. Shilpi, who was warden, came to know about it but didn't do anything. She didn't show her to a doctor. After a day, Sharad called her to his office, where Shilpi and another girl, Bhavya, were also sitting. Sharad and Shilpi told her that she was under the influence of evil powers and should do her meditation and 'Jaap' properly. Later on, Bhavya and the other girls in the hostel started demonstrating a fear of evil powers to tease her. The next day, Warden Shilpi asked her to call her parents and tell them to take her to a good hospital as her health was not in good condition. Shilpi also asked her not to tell her parents about the evil powers, otherwise they might get afraid.

On the 7th of August, Shilpi called the victim's parents and allowed the victim to talk to them and ask them to come to take her away. The next day, her father and mother reached the ashram and were put up in the boys' hostel for the night. They were only allowed to meet the victim on the 9th of August in Shilpi's room where Shilpi told them that she was under the influence of evil powers. When her father asked Shilpi how she came to know about the evil influence, Shilpi told him that there was another girl, Bhavya, who was also under such an influence.

She told them that Bapu Asaram has been told about all this and that they were required to take her to him. She also warned them about not taking her anywhere else. She also asked all family members to do the '*Mahamrityunjaya jaap*' to make the influence of evil powers void.

Later, Sharad met the victim and her family and told them to do exactly the same things that Shilpi had asked them to do. When Sharad was asked where Bapu Asaram would be available, he told them that only Shiva knew when and where Bapu would meet them. The victim's father knew Shiva well as he had been a staunch supporter of Bapu Asaram for many years. When the father contacted Shiva, he called them to Delhi and then to Jodhpur and when they reached Jodhpur, Shiva opened the doors of the ashram, where Asaram was giving sermons, for them. When they met Asaram, he addressed the victim as '*bhoot wali*

ladki' (the girl under the influence of evil powers). After that Asaram gave them water to drink and sprinkled some water over the victim's head. He also asked the owner of ashram, Vishnu Dewada to arrange for their stay in his house.

At this juncture, it is pertinent to examine the evidence about the other girl who was supposed to be under the influence of evil powers. The defence counsel argued that no such thing happened with Bhavya, but evidence on record establishes that the girl, Bhavya Shukla, was very much there in the hostel. Her father wanted to take her home due to her sickness, for which he gave an application to the principal of the school. Secondly, an affidavit by the father of Bhavya which was given to District and Session Judge, Jodhpur, and also a letter he wrote to the Chief Justice of India, New Delhi, clearly states that when he came to know that his daughter was sick in the hostel at Chhindwara, he brought her back on the 6th of August 2013. Later, when she was well, he went to Chhindwara to drop her back but found violence around the ashram, so returned to Meerut.

The prosecution has established that Bhavya was later expelled from the school by the school administration, though the defence claims that she was restricted from the hostel for being absent. The investigation officer of the case tried many times to find out the true reasons for her dropping out of the school but the parents of Bhavya evaded investigation and wrote letters (attached) to the Chief Justice of India, complaining about the investigation officer. The investigation officer even went to Meerut for the investigation but Bhavya and her parents were not available. This shows that Bhavya and her parents were won over by accused Asaram due to which they never turned up for the investigation to reveal the facts about the story of evil powers in the hostel in Chhindwara. This fact is beyond doubt that accused Sharad was director of the Chhindwara gurukul and accused Shilpi was the warden of the girls' hostel in the gurukul. The victim testified that Bhavya used to weep and cry loudly in the hostel because of which Shilpi and the others in the hostel used to shut her in the room forcibly. Shilpi used to tell other girls that Bhavya was under the influence of evil powers, so other girls should not be in contact with her. The victim believed all the

things about evil powers *(bhoot-pret)* as she believed in Shilpi as she was her elder and her warden.

It is evident from the testimony of other witnesses that the father of victim was disturbed when he came to know about the influence of evil powers on her daughter. He was terrified on being asked to do the *'Mahamrityunjaya Jaap'* as it is a common belief in India that it is done at the time of only very adverse situations beyond the control of mankind. Therefore, the prosecution has been successful in proving the fact that the accused, who were in control of victim, were successful in their motive to transfer the victim to the custody of accused Asaram, fully knowing the fact that she was not under any influence whatsoever of any evil power.

The Hon'ble Supreme Court, by rulings on many occasions, has established that it is very difficult to prove the meeting of minds for criminal conspiracy by direct evidence, so circumstantial evidence shall be generally sufficient to prove the criminal conspiracy. Conspiracy is hatched in private or in secrecy. It is rarely possible to establish a conspiracy by direct evidence. Usually, both the existence of conspiracy and its objects have to be inferred from the circumstances and the conduct of the accused. In cases of conspiracy, better evidence than acts and statements of co-conspirators in pursuance of the conspiracy is hardly ever available.

The prosecution has proved beyond doubt that accused Shilpi and Sharad motivated the victim and her family to go to Bapu Asaram for the cure of the influence of evil powers on the victim. The prosecution has also proved beyond doubt that accused Asaram addressed the girl, when introduced in Jodhpur by Shiva, by saying *'bhoot wali ladki'* (girl under influence of evil powers). Therefore, it is proved that the minds of the conspirators met before the commission of the offence; otherwise how come accused Asaram addressed the victim as the *'bhoot wali ladki'* ?

The day before the 15th of August night when the offence was committed, the accused tried to convince the girl by saying that there was no purpose in her studying further; rather she should surrender herself to him because if she surrendered completely to him, he would make her life as all senior officers, ministers, big

businessman used to touch his feet. As far as argument of the defence that accused Shilpi and Sharad were not in contact with accused Asaram and the family of the victim after they left the gurukul at Chhindwara on 9th August, it is very well explained in the Indian Evidence Act that once a part of criminal conspiracy is completed, it is not necessary to be part of the later portion of the conspiracy. Section 10 of Evidence Act clearly states that once a person has joined in a conspiracy, even if he/she is ignorant of all the later developments in pursuance of the conspiracy, he/she will be deemed to be the conspirator. If prima facie evidence of existence of a conspiracy is given and accepted, the evidence of acts and statements made by any one of the conspirators in furtherance of the common object is admissible against all.

The victim was in the custody and control of accused Shilpi and Sharad, whose duty was to take her to the doctor when she complained about her sickness; rather they neglected their duty. It is a well settled principle of law that whoever having the actual charge or control over a child, assaults, abandons, exposes, wilfully neglects the child or causes or procures him/her to be assaulted, abandoned, exposed or neglected in a manner likely to cause such a child unnecessary mental or physical suffering, shall be punishable under law.

When the victim and her family reached the kutiya at the Manai ashram and Asaram asked the victim to sit for meditation behind the kutiya but asked her mother and father to sit in front of kutiya at two different locations, the victim was under control of the accused. When her father went to sleep and her mother was meditating on the front side of the kutiya, a little away from the kutiya, he opened the back door of kutiya and dragged her inside the kutiya, which proved his control over the victim.

After examining the evidence and arguments of prosecution and defence, the court came to the conclusion as under –

(1) Prosecution has not been successful in proving any of the allegations against Shiva and Prakash. Therefore both are eligible for acquittal.

(2) Accused ASARAM –

a. Accused obstructed the free movement of victim at around 10pm on 15th August in the 'kutiya' in Manai ashram and proved to be offender of offence under section 342 IPC.

b. Prosecution has proved beyond doubt the offence under section 370(4) IPC, as he procured the control of victim in connivance with the other co-accused to sexually exploit her.

c. Accused is found guilty of offence of criminal conspiracy to sexually exploit the victim as defined under section 120B IPC.

d. Accused is also found guilty of 354A IPC as he threatened the victim to kill her parents if she objects to his demand of sexual assault.

e. Accused was part of gang with other co-accused Shilpi and Sharad to sexually exploit the victim and therefore accused is guilty of offence under section 376D IPC and 5(g)/6 POCSO Act.

f. Prosecution has proved beyond doubt that accused was custodian of the victim and sexually assaulted her so he was punishable under section 376(2) (f) of IPC.

g. Accused is punishable for his offence under section 7/8 of POCSO Act as he touched vagina and other private parts of the victim.

h. Victim was a minor, who was under the custody/control of Asaram who caused mental and physical harm to her; he is punishable under section 23 of Juvenile Justice Act.

Punishment under section 376(D) IPC is for minimum 20 years, and this can extend to life imprisonment. The convicted is also liable for a fine. This final punishment overshadows all other forms of punishment under different sections of the POCSO Act

under which he is found guilty. Therefore, it is not significant to punish him under different sections of POCSO Act.

(3) Accused SHARAD and SHILPI

a. Prosecution has been successful in proving the offence of section 370(4) IPC, as they have conspired with main accused Asaram to send the victim in his custody for sexual exploitation.

b. They have been found guilty of offence of criminal conspiracy, under section 120B IPC, hatched to sexually exploit the victim.

c. Prosecution has proved beyond doubt their offence to form a gang to exploit the victim and hence accused of offence punishable under section 376(D), IPC. As the victim was minor, they are punishable under section 5(g)/6 of POCSO Act.

Once the accused had been found guilty under the different sections imposed by the investigating agency, final arguments for the quantum of punishment were heard. The prosecution demanded the maximum punishment under the section under which the accused had been proved to be guilty while the defence counsel argued for minimum punishment, citing various reasons. After hearing the arguments of both the sides, the judge delivered his judgement as under:

Accused ASARAM is known as a saint. Evidence on the file establishes that he has followers whose number is in millions, not only in India but abroad also. More than 400 ashrams in his name are running in the country. Even the father of the victim was his follower, who out of his respect for the accused built an ashram in Shahjahanpur in the name of accused. He was so devoted to the accused that he sent his daughter, victim of the case, and son to study in his gurukul far away from Shahjahanpur to Chhindwara. Accused sexually exploited the victim in the name of removing the ill-effect of evil powers. Accused not only broke the faith of victim, but also damaged the image of saints in the minds of

common man. The purpose of punishment shall be to safeguard the society as well as to prevent the accused from committing further crimes. Sentencing is an important task in the matters of crime. One of the prime objectives of criminal law is imposition of appropriate, adequate, just and proportionate sentence commensurate with the nature and gravity of the crime and the manner in which the crime is done. The twin objective of sentencing policy is deterrence and correction. Imposition of appropriate punishment is the matter in which the courts respond to the society's cry for justice against the criminals. Justice demands that court should impose punishment befitting the crime, so that the court reflects public abhorrence of the crime. The court will be failing in its duty if appropriate punishment is not awarded for a crime which has been committed not only against the individual victim but also against the society to which the criminal and victim belong. The punishment awarded must not be irrelevant but it should conform to and be consistent with the atrocity and brutality with which the crime has been perpetrated.

Imposition of sentence without considering its effect on the social order in many cases may be in reality a futile exercise. Social impact of the crime cannot be lost sight of and per se require exemplary treatment. The object should be to protect the society and to deter the criminal in achieving the avowed object of law by imposing appropriate sentence. It is expected that the courts should operate the sentencing system so as to impose such sentence which reflects the conscience of the society and the sentencing process has to be stern where it should be. If accused is shown liberal behaviour while announcing the sentence, it would damage the judicial system, because this will cause loss of faith in judiciary. If court will not protect the victim by showing unwarranted sympathy for accused, then the victim will follow the path of taking revenge by means outside the criminal justice system and it will damage the progress of society.

Court further observes that this court is taking guidance from commentary and proceeds to pronounce the sentence for the convicted criminals.

Convict Asaram was awarded maximum punishment in all the sections under which he was found guilty. He was awarded life

imprisonment for the rest of his life till his last breath and also levied a fine of one lakh rupees for his offence under section 376(D), IPC. Sentences with regard to all other accusations were also awarded, but it is not relevant to reproduce them here as the punishments in those sections were lesser.

Accused Shilpi and Sharad were awarded twenty years in prison and fined for fifty thousand rupees for offence under section 376(D), IPC. The quantum of punishment was lesser in other offences in which they were found guilty and need not be mentioned here.

When, finally, the judge pronounced his judgement convicting Asaram Bapu, it was breaking news across all the TV channels. After about an hour into the judgement, the quantum of punishment was also delivered. I had a lump in my throat and my eyes filled with tears while I watched this on the news with my wife and our family friends. The tears were out of joy and a sense of accomplishment. There was also immense relief. I felt as if my mind had rid itself of tons of weight.

For the common man, who was looking at the government machinery in the hope of justice, it was a day of great satisfaction. Justice had been delivered. Delayed, but not denied.

Suddenly, I was being flooded with calls from friends, relatives, police officers and mediapersons. After a while, it became impossible for me to talk to so many people simultaneously, so I put my phone on silent. Moreover, I wanted to spend this time of relief, vindication and celebrations in peace with my family, who had suffered a lot in the last few years because of this case.

TEN

Aftermath

DCP LAMBA'S RESIDENCE
JODHPUR
25 April 2018

The judgement out, I was relieved and satisfied.

Mediapersons surrounded my house to seek my reaction to the judgement and procure a bite from me for their respective news channels and publications. I met them all together and conveyed to them my gratitude for their support in mobilizing the public opinion through the long journey the case had made.

In my heart, apart from feeling an immense amount of gratitude for everyone associated with the case, who, despite all odds, never wavered from the course of justice, I experienced great happiness to have realized that if the law of the land is implemented impartially, then even the weakest can afford to take on the might of the most influential. This was a landmark judgement in criminal jurisprudence in the country.

Then, I received a call from the victim's father.

'*Sahib, hum aap ke aur aapki team ke abhaari hain jinhone humein nyaya dilaya,*' he said. (Sir, we are thankful to you and your team who ensured that we got justice.) His voice choked with emotion as he said these words. He began to weep. He passed the phone to his daughter.

'Thank you, sir,' she said. 'I can now live my life with confidence,' she added, her composure unscathed.

'Be confident and forget this dark chapter. Move ahead in life as if you have got a rebirth. Your stand against the mightiest will be remembered for long by the children in distress in the country and many more will be encouraged to fight for justice. I wish you good luck,' I said to her, as we ended the call.

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Appendix

THE FIR

(Under Section 154 CrPC)
Mr SHO Sir,
Thana Kamla Market ,
(New Delhi)

I, [victim's name], am studying in class 12 at Shri Asaram Ji Gurukul located at Parasiya Road, Chhindwara, Madhya Pradesh . I live with my family consisting of my father Shri …… Singh , mother ……. Singh, elder brother …… Singh and younger brother …… Singh.

One day, I suddenly felt faint and my hostel warden, Shilpi, said that this was because I was under the influence of ghosts and spirits. She said that she will speak to Asaram Bapu about the matter. On 7 August 2013, Shilpi telephoned my house and said that I was unwell and advised my family to take me to a big city for treatment. On the night of 8 August 2013, between 10 and 11 p.m., my parents reached the gurukul. I had spoken to them over phone. On the morning of 9 August 2013, my parents came to the Girls' Hostel to take me back. Then they spoke to Shilpi, who told them that I was under the influence of spirits, regarding which she had spoken to Bapu and that he had called me. Shilpi said that my parents should quickly take me wherever Bapu was at that time. On 9 August 2013, I reached my home in Shahjahanpur. Thereafter, my father enquired about Bapu's whereabouts and found out that he was due to go to Delhi on 12 August 2013. When we reached Delhi on the 13th, we came to know that he had gone to Jodhpur (Rajasthan). Then Shiva , who was in Bapu's employ, told us to hurry and proceed to Jodhpur. On the 14th, we reached a village called Manai, located ahead of Jodhpur, where Bapu was said to have come. When I reached (the farmhouse), its gate was shut and all the attendants were standing outside. Then, Papa

called Shiva, who had the gate opened for us. When we entered, Bapu was sitting on a chair and conducting satsang. We, too, went and sat there. A short while later, he asked us where we had come from. I replied that I was a student at the gurukul, to which he responded saying that he would exorcise the ghost. Then he spoke of spirituality, and also discussed my future with me. That night, Bapu sent over a servant to take us three to him. Then, he showed us around his kutiya and after giving us prasad, sent us away. We stayed in the room given to us by him. The following day, on 15 August 2013, he sent food for us and conducted satsang. That night, Bapu had us called to the kutiya again. When we went there, at first, Bapu spoke with my parents. Then he made them sit near the gate and asked them to remain there, to pray, meditate and leave after some time. He then made me sit on a chabutara (a raised platform) behind the kutiya and gave me a glass of milk. After I drank the milk, he asked my parents to leave, but they didn't. In some time, although Papa left, Mummy kept sitting. Bapu went inside his room through the front door and within a short while, he switched off the light in his room. He then called me inside through the back door. Once I went in, he made me sit beside him and started talking to me. Then he asked me to go and check what my parents were doing. I returned to tell him that my mother was sitting outside and that my father had left. Bapu then locked the door and began touching me inappropriately. When I started screaming, he said that he would have my parents killed, scaring me into silence. He kissed me and asked me to perform oral sex on him. He had no clothes on him and he started undressing me forcefully. When I started crying and shouting, he clamped my mouth shut. He molested me for about an hour to an hour and a half. Two or three of his servants were present outside the room we were in. When I managed to leave the room, Bapu threatened me again, and asked me not to speak about the incident to anyone. Then I returned with my mother to the room in which we were staying.

On the 16th, Bapu left for Delhi and we returned home. Before leaving, Bapu told my father that he send me to Ahmedabad (Gujarat), that there, he will perform some rituals for seven to eight days, after which he will send me back to Chhindwara. However, after this incident, I did not go there, and, upon reaching home, I told my parents every detail of the incident so that an investigation could be conducted against Asaram Bapu, warden Shilpi and Shiva.

……., age 16 years……
D/O …… Singh, Add…… P. No…… (Father) …… [*]

* This English translation of the FIR is a slightly edited version of the translation available on kractivist.org/english-translation-of-fir-against-asaram-bapu-dhongibaba-rape-vaw-justice/.

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Ajay Pal Lamba

About the Book

Notorious godman Asaram Bapu, aka Asumal Sirumalani Harpalani, serves life imprisonment in the Central Jail, Jodhpur. He was convicted for the rape of a minor and also has murder charges against him.

Gunning for the Godman is the no-holds-barred, first-hand account of how Ajay Lamba, then DCP Jodhpur (West), landed the case and got a team of dedicated officers together. It is the story of how, foiling the Baba's many attempts to get away scot-free, they arrested him in a matter of only ten days, and how they assiduously saw the victim and her family through a four-year long trial. This, despite the countless threats to not only the girl and her family, but also to DCP Lamba's own family and team.

A testimony to unrelenting courage, this story of a dynamic police officer's pursuit of justice is a lesson for these troubled times.

***

DISCLAIMER : As on the date of publication of this book, the appeal of Sanchita Gupta@Shilpi against the order of conviction passed by the Special Court (POCSO) Jodhpur, is pending before the Hon'ble Rajasthan High Court. The sentence awarded to Sanchita Gupta@Shilpi has been suspended during the pendency of the appeal.

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An electronics engineer by training, **Ajay Lamba** worked in HCL Infosystems, Bharat Electronics Ltd (BEL), the Centre for Development of Telematics (CDoT), the Defence and Research Development Organisation (DRDO), Indian Railways and the Indian Revenue Service (IRS) before joining the Indian Police Service (IPS) in 2005. In August 2018, he was awarded the Rajasthan government's highest police award for his commendable work in the Asaram case. Currently, he is the Additional Commissioner of Police (Law & Order), Jaipur, Rajasthan.

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Ajay Pal Lamba asserts the moral right to be identified as the author of this work.

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